REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1882

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REVIEW OF HIS HONOR THE LIEUTENANT GOVERNOR OF THE PUNJAB.

No. 1448.

FROM

G. W. RIVAZ, ESQUIRE,
Registrar, Chief Court, Punjab,

To

W. M. YOUNG, ESQUIRE,
Secretary to Government, Punjab.

Dated Lahore, the 8th May 1883.

SIR,

I am directed by the Judges of the Chief Court to submit the following report on the Administration of Criminal Justice in the Punjab during the year 1882.

Arrangement of report and form of statements.

2. The report has been drawn up on the same plan as that of the previous year. A statement, No. 5 A, has been added, under the orders of the Government of India, to show the particulars of the sentences of whipping passed last year; but in other respects the statements which accompany this report are similar to those submitted with the report for 1881.

PART I.—ORIGINAL JURISDICTION.

A.—GENERAL REVIEW OF OFFENCES COMMITTED AND BROUGHT TO TRIAL.

Returns of 1881 and 1882 compared.

3. The returns for the year 1882 show a total number of 120,047 reported offences and complaints, as compared with 114,769 in the previous year. The greater part of the difference, however, appears to be only the result of greater care in collecting statistics of complaints summarily rejected as disclosing no sufficient grounds for proceeding, and does not, therefore, point to any real increase in the number of offences committed. The returns for 1881, which were the first to give information regarding complaints rejected *in limine*, showed 25,843 such complaints, while in the returns for last year rejected complaints number 29,127. It is far more likely under the circumstances that the returns for the earlier year were defective than that there should have been an increase of over 12 per cent. in the number of complaints summarily rejected.

4. Excluding complaints rejected as groundless, the number of substantive offences brought to notice last year for the first time was 90,920, as against 88,926 in the previous year. From the annexed table, which gives a detail of offences reported and admitted to have occurred, and of cases and persons brought to trial, during the past five years, it will be seen that there was an increase of 3·4 per cent. in offences under the Indian Penal Code and a falling-off of 2·3 per cent. in offences under special and local laws, the increase in crime generally being 1·8 per cent.

1	2	3	4	5	6	7
	Year	Offences reported	Offences struck off the register on the application of the police	Offences admitted to have occurred	Cases brought to trial	Persons brought to trial
Offences under the Indian Penal Code	1878	71,087	1,615	69,472	53,392	103.876
	1879	69,859	1,291	68,568	51.805	101,432
	1880	69,778	987	68,791	54,583	111.485
	1881	68,607	1,031	67,576	53,131	112.073
	1882	71,080	1,436	69.644	55,015	117.693
Offences under Special and Local Laws	1878	18,154	17	18,137	17.836	36.023
	1879	19,018	37	18,981	18,666	39.468
	1880	20,188	21	20.167	19.618	42.263
	1881	20,319	18	20.301	20,056	43.560
	1882	19,840	26	19,814	19,792	40.898
Total ...	1878	89,241	1,632	87,609	71.228	139,899
	1879	88,877	1,328	87,549	70,471	140,900
	1880	89,966	1,008	88.958	74,201	153,748
	1881	88,926	1,049	87.877	73,187	155.633
	1882	90,920	1,462	89.458	74.807	158,591

5. It has been stated above that during the year under report 29,127 complaints were rejected as groundless, and that these figures are considerably higher than those of the previous year. The apparent advance is most marked in the Lahore District, which returns 2,030 rejected complaints in 1882, as against 1,267 in the preceding year. As, however, has already been remarked, the figures of the earlier year are open to doubt, and it may be that even the figures for last year are not altogether accurate. Special enquiries will be made from all districts on the point, with a view to the correction of any errors which may have crept into last year's figures, and the collection of accurate statistics for the year now current.

Rejected complaints.

6. Fourteen hundred and sixty-two cases were struck off as false on the application of the police, as compared with 1,049 cases in the previous year. No case is now removed from the register of offences except under the immediate order of the District Magistrate on an application supported by an English memorandum by the District Superintendent of Police. Under this system it is unlikely that cases will be improperly removed, and the increase in the number is therefore satisfactory. The same attention, however, is evidently not paid to the subject in all districts. In the Mooltan District 190 cases were struck off, 109 cases in Jhang and 108 cases in Montgomery, while only 2 cases were struck off in Jullundur and 3 in Hoshiárpur. In the case of the Jullundur District, Mr. Bullock, the District Magistrate, points out that the smallness of the number is remarkable, but he says that no further applications were made by the police, and it was, of course, for the police to take the initiative.

Cases struck off as false.

7. Rejected complaints and cases struck off on the application of the police thus account for 30,589 out of the total number of offences reported. There remains a balance of 89,458 cases returned as true, as compared with 87,877 true cases in the preceding year. Speaking generally, it may be said that the increase is due to a larger number of prosecutions for petty personal injuries, most of which were not pressed to a conclusion. Offences against the public tranquillity and public justice and homicides were also rather more numerous, but not to an extent which would have affected the general total, while there was a substantial diminution of offences against property, principally due, no doubt, to the year being one of good harvests and agricultural prosperity.

Cases returned as true.

8. The ratio of cases brought to trial to offences admitted to have occurred was not quite 84 per cent., having been 83 per cent. in the two previous years. There was an increase of 2,958 in the number of persons brought to trial.

Cases and persons brought to trial.

B.—Offences classified.

9. The subjoined table, which is an abstract of Statement No. 2 in the Appendix, shows the variations under the main heads of crime during the past two years, and compares the final results of the cases decided in each of those years:—

Variations under main heads compared.

Description of offence	Number of offences admitted to have occurred during the year		Percentage of increase or decrease	Persons disposed of during the year		Persons convicted		Percentage of persons convicted to those tried	
	1881	1882		1881	1882	1881	1882	1881	1882
Chapter V.—Concealing design to commit offences ...	...	...	...	...	...	...	...	...	...
" VI.—Offences against the State ...	3	...	...	4	...	4	...	100	...
" VII.—Offences relating to the Army and Navy ...	2	2	...	2	2	1	2	50	100
" VIII.—Offences against the public tranquillity ..	725	785	+ 8	6,227	6,514	4,179	4,493	67	69
Carried over ...	730	787	...	6,233	6,516	4,184	4,495	...	...

Description of offence	Number of offences admitted to have occurred during the year		Percentage of increase or decrease		Persons disposed of during the year		Persons convicted		Percentage of persons convicted to those tried.	
	1881	1882			1881	1882	1881	1882	1881	1882
Brought forward ...	730	787	...		6,233	6,516	4,184	4,495	...	...
Chapter IX.—Offences by or relating to public servants ...	223	223	...		296	273	106	69	36	25
" X.—Contempts of the lawful authority of public servants ...	1,196	1,157	-	3	2,188	2,272	1,292	1,214	61	53
" XI.—False evidence and offences against public justice ...	999	1,074	+	7	1,570	1,677	835	837	53	50
" XII.—Offences relating to coin and Government stamps ...	181	126	-	30	212	153	140	88	66	57
" XIII.—Do. do. to weights and measures ...	66	63	-	4	87	217	56	186	64	86
" XIV.—Do. affecting the public health, safety, convenience, decency, and morals ...	559	606	+	8	1,968	2,213	1,536	1,765	78	80
" XV.—Offences relating to religion ...	113	124	+	9	312	344	52	65	17	19
" XVI.—Do. affecting the human body—										
1.—Do. do. life ...	763	815	+	7	1,091	1,191	522	518	48	46
2.—Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births ...	80	98	+	22	102	115	54	59	53	51
3.—Hurt ...	3,972	4,571	+	15	8,192	9,191	3,696	3,802	45	41
4.—Wrongful restraint and wrongful confinement ...	631	554	-	12	1,257	1,226	250	221	20	18
5.—Criminal force and assault ...	21,368	23,061	+	8	45,363	48,979	6,663	6,689	15	14
6.—Kidnapping, forcible abduction, slavery and forced labor ...	219	244	+	11	392	416	147	131	37	31
7.—Rape ...	133	95	-	28	141	101	54	41	38	41
8.—Unnatural offences ..	74	94	+	27	85	92	47	63	55	68
XVII.—Offences against property—										
1.—Theft ...	11,709	10,718	-	8	10,865	9,586	7,751	6,626	71	69
2.—Extortion ...	185	216	+	17	436	514	77	57	18	11
3.—Robbery and dacoity ...	316	324	+	2	435	436	182	176	42	40
4.—Criminal misappropriation of property ...	416	393	-	5	665	583	323	271	48	41
5.—Criminal breach of trust ...	635	557	-	12	781	699	336	287	43	41
6.—Receiving of stolen property ...	2,874	2,661	-	7	4,154	3,546	2,673	2,158	64	61
7.—Cheating ...	761	757	-	1	1,197	1,155	284	297	24	26
8.—Fraudulent deeds and disposition of property ...	46	35	-	24	85	54	16	22	19	41
9.—Mischief ...	2,389	2,682	+	11	5,184	5,989	1,535	1,669	29	28
10.—Criminal trespass ...	11,582	11,520	-	1	8,706	8,671	3,954	3,606	45	42
" XVIII.—Offences relating to documents and to trade or property marks ...	112	116	+	3	164	208	40	56	24	27
" XIX.—Criminal breach of contracts of service ...	51	40	-	21	163	134	69	30	42	22
" XX.—Offences relating to marriage	4,289	4,654	+	8	5,995	6,348	810	782	14	12
" XXI.—Defamation ...	247	352	+	42	452	673	90	99	20	15
" XXII.—Criminal intimidation, insult and annoyance ...	657	927	+	41	1,101	1,595	239	280	22	17
Offences under special and local laws ...	20,301	19,814	-	2	43,317	40,627	32,191	29,210	74	71
Total ...	87,877	89,458	+	2	153,188	155,795	70,194	65,869	46	42

Chapters V to XV, Indian Penal Code.

10. Offences under Chapters V to XV of the Indian Penal Code do not call for special remark.

Offences affecting human life.

11. As compared with the previous year, there was an increase in 1882 of 7 per cent. in the number of offences affecting human life, of 9 per cent. in the number of persons tried for such offences, and a falling-off of 2 per cent. in the proportion of persons convicted to persons tried.

Murder.

12. The number of admitted cases of murder rose from 325 to 356. The increase is marked only in the Pesháwar and Hazára Districts, which return 89 true cases as against 65 in the previous year. This increase is noticed in the local reports, but no very clear causes are assigned for it. Altogether, 866 persons were brought up on charges of murder during the year. Of these, 8 persons died during the course of the proceedings, and 690 were disposed of in the manner shown in the following table:—

Division	Persons disposed of by the ordinary Tribunals		Persons disposed of by Councils of Elders	
	Acquitted or discharged	Convicted	Discharged	Convicted
Delhi	23	8	...	...
Hissar	24	12	...	...
Umballa	14	9	...	...
Jullundur	11	8	...	...
Amritsar	20	14	...	...
Lahore	9	17	...	...
Rawalpindi	75	35	...	...
Mooltan	17	25	...	...
Derajat	37	18	2	23
Pesháwar	149	47	15	78
Total ...	379	193	17	101

The results shown in the table are the final results of the trials, after the disposal of the reference to the Chief Court in cases in which a capital sentence was passed. In cases tried by the regular tribunals, the percentage of convictions was lowest in the Pesháwar (24) and Delhi (26) Divisions, and highest in the Mooltan (68) Division. As regards cases disposed of by Councils of Elders, it will be seen that prosecutions were more successful in the Derajat than in the Pesháwar Division.

Infanticide by women.
Secretary to Government's No. 3670, dated 11th October 1879, and No. 948, dated 30th October 1882.

13. The letters noted in the margin communicated the orders of the Government of India that all cases in which women might be convicted of the murder of their infant children should be brought to the notice of the Local Government, with a view to the consideration of the question whether any commutation or reduction of the sentence should be allowed, and that the action taken by the Local Government in such cases should be noticed in the Criminal Report of the year. Six cases of infanticide by women were brought to the notice of the Government last year. In four cases the women had appealed, and the cases were referred to the Government after the dismissal of the appeals by this Court; in two cases no appeal was preferred. In every case but one, sentences of transportation for life were, in accordance with the recommendation of the Court, commuted to sentences of ten years' rigorous imprisonment or transportation. In the remaining case, in which a woman who had a living illegitimate child had given birth to a second illegitimate child and killed it immediately after its birth, the Court was unable to make any recommendation on behalf of the convict, and the Lieutenant Governor, agreeing with the Court, declined to interfere.

Attempt at murder.

14. Seventy-one cases of attempted murder were returned as true last year, as compared with 69 cases in the year 1881. One hundred and seven persons were tried for such attempts, and 37, or 36 per cent., were convicted. In the preceding year, out of 88 persons who were tried, only 28 per cent. were convicted.

Culpable homicide not amounting to murder.

15. Culpable homicides not amounting to murder numbered 114 in 1881 and 155 in the year under report, the increase being most marked in the Lahore and Mooltan Divisions. In the earlier year 215 persons were tried, of whom 143, or 66 per cent., were convicted. Last year, out of 264 persons who were tried, only 140, or 53 per cent., were convicted. In the Peshâwar Division only 10 persons were convicted out of 32 who were tried; in the Mooltan Division 22 persons were tried and 8 convicted; in the Rawalpindi Division the numbers were, 33 acquitted and discharged and 23 convicted; while in the Umballa Division 6 persons were acquitted or discharged and only 2 convicted. Prosecutions were most successful in the Amritsar Division, where, out of 19 persons tried, 84 per cent. were convicted.

Causing death by rash or negligent act.

16. Sixty-six persons were proceeded against under Section 304 A during 1882, of whom 34 were convicted. In the preceding year, 86 persons were proceeded against and 49 were convicted. Reports have been called for regarding last year's convictions, as the Judges have reason to believe that the scope of the section is still misunderstood by many officers.

Hurt.

17. Of the 4,571 cases of hurt shown in the table as having occurred during the year under report, 712 are returned as serious, and 3,859 as minor cases. Under the former head there is an increase of 17 cases only. Minor charges show an increase of 582 cases, but the increase is in prosecutions only. There was an actual falling-off in the number of cases which were pressed to judgment, the figures for the two years being 2,993 persons convicted and 2,307 acquitted in 1881, and 3,081 persons convicted and 2,139 acquitted in 1882. In the former year 1,808 prosecutions were abandoned and last year 2,722. The proportion of complaints summarily rejected was about the same in both years.

Criminal force and assault.

18. Cases of criminal force and assault also show a large increase in the number of prosecutions, and only a slight increase in the number of cases in which the prosecution was persisted in. The growing tendency in this province to launch prosecutions on petty charges which are ultimately abandoned is dwelt on in several of the local reports, and doubts are expressed as to whether it is desirable to allow our Criminal Courts to be applied to so easily in cases of this nature. Whether the court fee now charged on criminal complaints is sufficiently high is a matter which is certain to receive consideration in connection with the Court Fees Bill now before the Legislature. Meanwhile, it may be observed that it does not follow that the time of a Criminal Court has been wasted when it has been taken up in the investigation of a complaint which has ultimately been withdrawn. The filing of a complaint often has the effect of inducing friends to intervene who would otherwise not interest themselves, or leads to an offer of amends which would not otherwise be offered, and thus brings about the settlement of a quarrel which would under other circumstances be the cause of ill-will for years. No doubt, many of the grievances complained of are not proper subjects of enquiry for a Criminal Court, and other complaints are purely malicious. But a brief examination of the complainant will often show that he has not a case for a Criminal Court, while the Courts have it in their power to deal severely with malicious complaints in summons cases by awarding substantial compensation to the persons who have been vexatiously brought before them.

Offences against property.

19. The total number of offences against property, in which the charge was laid under Chapter XVII of the Indian Penal Code, was 29,864 in the past, as compared with 30,913 in the previous year. Thus, the decrease of 7 per cent. which was shown in the returns for 1881 has been followed by a further falling-off of 3 per cent.

Variations under principal heads noticed.

20. Details of the chief heads of crime falling under this class are given for the last two years for each district in the province in the following comparative table:—

District	Theft and receipt of stolen property.				Serious cases of criminal trespass				Robbery and dacoity			
	Cases returned as true		Cases brought to trial		Cases returned as true		Cases brought to trial		Cases returned as true		Cases brought to trial	
	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882
Delhi	436	439	311	350	355	342	91	107	8	8	5	4
Gurgaon	386	298	274	206	220	209	70	66	13	12	8	7
Karnál	287	293	198	209	107	159	34	50	5	7	3	2
Hissar	318	292	246	227	127	114	64	58	8	22	8	20
Rohtak	234	222	179	152	207	205	58	64	15	10	9	6
Sirsa	341	262	205	156	85	28	29	14	8	9	6	5
Umballa	521	767	408	383	520	511	106	106	3	14	2	5
Ludhiána	266	328	224	244	284	201	99	94	8	2	8	2
Simla	146	114	146	114	15	8	15	8	2	1	2	1
Jullundur	256	320	199	186	674	431	93	62	...	1	...	1
Hoshiárpur	253	231	226	172	385	327	88	54	8	2	8	3
Kángra	392	293	322	236	98	114	71	59	1	1	1	...
Amritsar	545	602	333	481	479	376	144	110	7	14	5	12
Gurdáspur	347	418	219	252	347	373	78	57	5	10	4	5
Siálkot	593	527	386	334	433	436	70	85	4	3	2	3
Lahore	1,248	1,077	752	678	664	506	186	154	17	15	12	16
Gujránwála	503	419	312	281	214	198	63	58	8	8	2	6
Ferozepore	541	583	440	418	214	238	214	62	6	5	6	3
Rawalpindi	693	703	513	489	604	647	132	128	6	10	4	7
Jhelum	531	292	378	292	567	528	158	154	7	4	7	4
Gujrat	427	440	351	239	320	299	103	71	2	6	2	5
Shahpur	406	256	310	216	187	137	54	35	3	2	4	2
Mooltan	770	664	476	529	310	389	97	107	4	7	3	3
Jhang	471	522	328	353	144	138	92	62	5	8	4	...
Montgomery	1,011	671	401	471	151	155	82	77	15	4	3	2
Muzaffargarh	375	356	304	231	216	297	97	116	...	5	1	2
Dera Ismail Khan	256	239	182	176	137	144	69	79	5	7	1	2
Dera Ghází Khan	441	348	327	250	181	105	70	53	9	4	6	1
Bannu	480	359	215	166	268	229	56	49	11	6	2	2
Pesháwar	481	441	387	362	458	559	84	105	43	39	13	25
Hazára	285	268	219	187	154	149	80	63	12	13	15	5
Kohát	343	281	175	168	200	212	64	66	68	70	22	24
Total ...	14,583	13,379	9,960	9,208	9,325	8,764	2,611	2,433	316	324	168	185

The figures show a decrease of 8 per cent. in admitted cases of theft and dishonest receiving, and of 6 per cent.. in serious cases of criminal trespass. The districts in which the diminution of crime under these heads is most marked are Lahore, Jhelum, Shahpur, Dera Ghází Khan and Bannu. The falling-off in Jhelum is chiefly observable in cases of theft and receiving stolen property, and is probably, as the Deputy Commissioner remarks, to a great extent due to the reduction of the floating population which has taken place since the removal of the head-quarters of the Punjab Northern State Railway to Rawalpindi and the closing of the Transport and Supply Departments which were established at Jhelum during the late war. No special causes are assigned for the falling-off in the other districts. The only districts which show a noticeable increase under the heads under remark are Umballa, where the increase is in cases of theft and dishonest receiving only, and appears to be chiefly due to the more correct registration last year of the cases which were referred to the police for enquiry by Magistrates under Section 146 of the Criminal Procedure Code, and Gurdáspur, where there was an increase in offences against property generally. The ratio of cases brought to trial to those admitted to have occurred was 68 per cent. in both years in cases of theft and receipt of stolen property, and was 30 per cent. in 1881, and 28 per cent. in the year under report, in serious cases of criminal trespass. The police were least successful in cases of the class last mentioned in Umballa, Jullundur, Hoshiárpur, Gurdáspur, Siálkot and Bannu.

It will be seen that there was an increase of 8 in the number of cases of robbery and dacoity returned as true, and of 17 in the number of such cases brought to trial. The increase in Hissar is, it is explained, due to the depredations of a notorious dacoit who was captured and sentenced to transportation for life towards the close of the year. The increase of cases in the Umballa and Amritsar Districts is not noticed. In the Pesháwar

District the police were much more successful in bringing cases to trial during the year under report than in the previous year.

Extortion, criminal misappropriation and criminal breach of trust.

21. There was an increase of 31 in the number of admitted cases of extortion and a falling-off of 7 in the percentage of convictions. Cases of criminal misappropriation and criminal breach of trust diminished last year, and under both heads the prosecutions were less successful.

Mischief.

22. Serious cases of mischief numbered 575 during the year under report, as against 616 in the previous year. Minor cases increased from 1,773 to 2,107, the increase being most marked in the Umballa and Siálkot Districts.

Chapters XXI and XXII, Indian Penal Code.

23. The only other classes of offences under the Indian Penal Code which call for passing remark are cases under Chapter XXI (Defamation) and Chapter XXII (Criminal Intimidation, &c.). Under both these heads the increase in the number of cases in which process issued exceeded 40 per cent., and under each head there was a marked falling-off in the percentage of successful prosecutions.

Variations under special and local laws.

24. The principal variations in offences against special and local laws are given below:—

Act		Cases returned as true		Persons convicted	
		1881	1882	1881	1882
Arms Act	...	382	376	277	394
Canals and Drainage Act	...	650	520	1,013	821
Cantonments Act	...	3,881	3,508	5,686	5,210
Cattle Trespass Act	...	1,157	1,468	730	784
Chaukídárs Act	...	76	145	123	211
Contract—Workmen—Act	...	540	622	64	40
Criminal Tribes and Eunuchs Act	...	509	466	612	475
Excise Act	...	140	238	154	300
Forests Act	...	800	1,039	2,484	2,424
Gambling Act	...	283	236	1,095	968
Hackney and Stage Carriages Acts	...	70	120	96	106
Municipal Act	...	4,416	3,438	5,827	4,905
Opium Act	...	232	379	232	594
Police Act	...	5,789	5,853	10,923	9,455
Punjab Laws Act	...	542	533	872	697
Stamp Act	...	135	159	180	170

Arms Act.

25. Altogether, 479 persons were proceeded against under the Arms Act last year, as compared with 361 persons in the previous year. The Kángra District is again the one in which the increase of prosecutions was most pronounced. Last year, a special report was called for by His Honor the Lieutenant Governor on the working of the Arms Act in this district, and it was explained that the Act had been worked with much leniency during the first two years after it came into force, but that, as its provisions were still disregarded, more vigorous action had been commenced in 1881. The Deputy Commissioner in his present report again urges that the Act has not been worked too rigorously, but the Commissioner is doubtful on this point, and has called for a further report on the subject which will be submitted in due course for the information of Government.

Canals Act.

26. Prosecutions under the Canals Act show a falling-off of 130 cases as compared with the previous year, and of 57 cases as compared with the year 1880. In the Dera Ghází Khan District the number of cases fell from 217 to 126, and in Muzaffargarh from 65 to 28. The percentage of convictions has risen from 62 to 66.

Breaches of Cantonment rules.

27. Throughout the province, there was a decrease of 372 in the number of prosecutions for breaches of Cantonment rules, but at Ferozepore the number increased from 1,193 to 1,373. The frequency of these prosecutions in the Court of the Cantonment Magistrate of Ferozepore formed the subject of correspondence with the Commissioner of Lahore last year. Mr. Burney, who was then Commissioner, promised to bear the matter in mind and interfere if prosecutions continued to be as frequent as they then were. The attention of Mr. Burney's successor has been drawn to this correspondence;

Cattle Trespass Act.

28. The increase of 155 in prosecutions under the Cattle Trespass Act which was brought to notice last year has been followed by a further increase of 311 cases in the year under report. The districts noted in the margin are those which contributed most to this increase. The percentage of convictions has fallen from 22 to 19.

Delhi, Kángra, Gurdáspur, Siálkot, Gujránwála, Rawalpindi, Gujrat, Montgomery and Dera Ghází Khan.

Chaukídárs Act.

29. Two hundred and eleven persons were proceeded against under Act XX of 1856, the Chaukídárs Act, and 97 of these were dealt with by the Cantonment Magistrate of Ferozepore. The Commissioner has been asked to report on the working of this Act in the Ferozepore Cantonment.

Act XIII of 1859.

30. The striking want of success in prosecutions undertaken by employers of labor under Act XIII of 1859 attracted the notice of the Court and the Government last year. A circular explaining the scope of the Act was issued by the Court, and subsequently, by the Lieutenant Governor's desire, reports were called for from the Commissioners of the Divisions in which the Act had been most freely put in force. The reports submitted showed that, speaking generally, the Act had not been misapplied, and that the reason for the small proportion of convictions was that the workmen prosecuted usually returned to their work on the issue of a criminal process against them, whereupon the proceedings were dropped. The returns now under review show an increase in the number of cases in which processes were issued, but a slight diminution in the number of persons proceeded against. The percentage of convictions fell from 3 to 2.

Criminal Tribes Act.

31. The working of the Criminal Tribes Act is separately reported on by the Commissioners and Deputy Commissioners of the Divisions and Districts in which it is in operation and need not be noticed in this report.

Excise on spirits and drugs.

32. The increase in prosecutions under the Excise Laws is due to special attention having been directed to the repression of illicit distillation in the Jullundur, Lahore and Jhang Districts. Seventy per cent. of the persons tried were convicted, as compared with 68 per cent. in the preceding year.

Forests Act.

33. Prosecutions under the Forests Act were, as usual, most numerous in the Kángra, Hazára and Rawalpindi Districts, and in all three districts more persons were proceeded against in the past than in the previous year. No reason is assigned for the larger number of cases in the Kángra and Rawalpindi Districts. The increase in Hazára is said to be due to the closing of the reserved forests. The percentage of convictions fell from 79 to 72.

Gambling Act.

34. Fewer prosecutions for gambling in the Amritsar and Pesháwar Districts caused the falling-off in cases under Act III of 1867 shown in the table under remark.

Hackney and Stage Carriages Acts.

35. There was an increase of 50 cases under the Hackney and Stage Carriages Acts of 1861 and 1879. At Delhi the number rose from 6 to 26, and at Jullundur from 20 to 43. Lahore was the only other place where prosecutions were at all numerous, and there 23 cases were instituted in 1881 and 24 last year.

Breaches of municipal rules.

36. The decrease in prosecutions for breach of municipal rules extends to all the large municipal towns except Rawalpindi. A Board of Honorary Magistrates was established at Rawalpindi in April last, and a stricter enforcement of the municipal bye-laws followed.

Opium Act.

37. Active measures for the enforcement of the law relating to opium were taken in the Lahore, Amritsar and Gurdáspur Districts. In these three districts the number of prosecutions rose from 27 to 182, which more than accounts for the general increase shown in the returns for the province. The percentage of convictions rose from 61 to 79.

Police Act.

38. The slight increase of cases under the Police Act does not call for special remark. The percentage of convictions was not quite so favorable as in the previous year.

Punjab Laws Act.

39. The number of prosecutions under the Punjab Laws Act was almost the same as in the previous year. The percentage of convictions was 79 in both years.

Stamp Act.

40. The attention of judicial officers was drawn in last year's report to the necessity of keeping a vigilant look out for evasions of the Stamp Law. There was an increase in the number of cases instituted under the Stamp Act in 1882, but the number of persons proceeded against was 239, as against 250 in 1881.

C.—Miscellaneous Proceedings under the Criminal Procedure Code.

Miscellaneous cases under the Criminal Procedure Code.

41. The proceedings of the two past years under the Code of Criminal Procedure are shown in the subjoined statement. It will be remembered that the Code to which reference is made is Act X of 1872.

Nature of proceedings	Year	Total number of cases disposed of	Total number of persons disposed of	Number of persons convicted
Frivolous or vexatious complaints summarily dealt with under Chapter XVI, Section 209	1881	639	701	700
	1882	936	1,185	1,185
Proceedings against witnesses under Chapter XXVI ...	1881	1	1	1
	1882	3	5	5
Forfeiture of bail or recognizance under Chapter XXVIII ...	1881	160	238	177
	1882	135	209	133
Non-attendance of jurors or assessors, Chapter XXIX, Section 414	1881	1	2	...
	1882	5	5	4
Contempts of Court under Chapter XXXII	1881	240	277	262
	1882	289	328	299
Proceedings under Chapter XXXVII, to prevent breach of the peace	1881	2,681	11,380	7,514
	1882	2,684	11,255	6,692
Proceedings under Chapter XXXVIII, security for good behaviour	1881	5,199	7,680	6,888
	1882	4,289	6,420	5,198
Proceedings against local nuisances, Chapter XXXIX ...	1881	91	199	73
	1882	206	457	134
Possession, Chapter XL	1881	109	288	90
	1882	120	320	102
Maintenance, Chapter XLI	1881	3,074	3,074	486
	1882	2,771	2,771	474

Frivolous and vexatious complaints.

42. The greater use which was made of the provisions of Section 209 of the Code in the year under report is a satisfactory feature in the statement. The districts in which the improvement is most marked are Gurdáspur, where 147 persons were punished in the past as compared with 20 persons in the previous year, Ludhiána, where 22 persons were dealt with in 1881 and 128 persons in 1882, and Dera Ghází Khan, where the number of cases in which compensation was awarded rose from 6 to 54. In other districts in which no improvement is at present observable, the local reports show that the subject is receiving attention, and the Judges trust that the orders which have been issued will bear fruit during the current year. One remark in the report of the Deputy Commissioner of Jullundur may be usefully brought to general notice. Mr. Bullock points out that in many cases in which the charge is true against some of the accused other innocent persons are needlessly dragged in, and that in such cases the persons who have been improperly charged are as much entitled to receive amends as the accused in a case which is entirely without foundation.

Contempts of Court.

43. In their report for 1881 the Judges noticed with regret an increase of 61 in the number of persons punished summarily for contempt of Court. The returns for 1882 show a further increase of 37 persons.

Enquiries are being made from the districts where the figures appear unduly high, and the necessary orders will be passed by the Court on receipt of the replies to these enquiries.

Proceedings to prevent breach of the peace.

44. The figures showing the proceedings taken during the year under Chapter XXXVII of the Code do not call for much remark. While the number of prosecutions hardly varied in the two years, there was a falling-off of 11 per cent. in the number of persons actually called on to furnish security to keep the peace. In Kohát the number of persons proceeded against fell from 1,321 to 830, and the number from whom security was demanded from 1,228 to 752. The Amritsar and Lahore Districts show increased numbers of prosecutions but fewer convictions than in the previous year.

Out of the total number of persons from whom guarantees for peaceable behaviour were demanded, 237, or 3·5 per cent., were imprisoned in default, and of these 46 were confined for more than a month. Further particulars regarding these imprisonments are given in the following table:—

District	Number of persons from whom security was taken	Number imprisoned in default	Number confined for more than a month
Pesháwar	1,701	117	19
Bannu	1,470	72	10
Kohát	752	20	9
Dera Ghází Khan	185	11	...
Other districts	2,584	17	8
TOTAL ...	6,692	237	46

The average amounts of security demanded in the different districts give an average of Rs. 177 for the province, as against an average of Rs. 159 in the previous year. The only districts in which the averages are noticeably high are those named below, and among these it will be seen that it was only in the Pesháwar District that the security demanded was not promptly furnished.

District	Number of persons from whom security was demanded	Average amount demanded	Number imprisoned in default
		Rs.	
Jhang	27	376	...
Montgomery	41	238	...
Pesháwar	1,701	292	117

Security for good behaviour.

45. Proceedings under Chapter XXXVIII of the Code were instituted against 6,525 persons in the past, as compared with 7,755 in the preceding year, with results as under:—

	1881	1882
Discharged	1,292	1,223
Called on to furnish security	6,388	5,198
Under trial at the end of the year ...	75	104

Of the persons who were required to find sureties for their good behaviour, 18 per cent. were imprisoned in default, as compared with 16 per cent. in the previous year, and 8 per cent., as against 9 per cent. in 1881, remained in prison for more than a month. The average amount of security demanded throughout the province was Rs. 181, as compared with Rs. 166 in the preceding year. It was stated in the Court's last report that the operations of the marching season of 1881-82 were about to be reported on by the officers in charge of the different divisions and districts. These reports received the careful consideration of the Judges. The reports for the Cis-Indus Districts were, on the whole, satisfactory, except that in a few Courts the amount of security demanded seemed unnecessarily high. The reports from the Frontier Districts disclosed some serious irregularities regarding which orders were issued by the Court.

Local nuisances.

46. Proceedings for the suppression of nuisances were taken, under Chapter XXXIX of the Code, against 201 persons in 1881 and 484 persons in the year under report. The numbers increased in the Karnál and Lahore Districts. In the former district it appears that the proceedings had chiefly for their object the fencing in of wells in exposed places. No explanation has been given regarding the increase in the Lahore District. Out of 457 persons against whom proceedings were concluded, 29 per cent. were ordered to remove or correct the nuisance, as compared with 37 per cent. in the previous year. In neither year did any of the persons proceeded against apply for a jury to try whether the order was reasonable and proper.

Applications for maintenance.

47. The returns show a decrease of 10 per cent. in the number of applications for maintenance and a rise of 1 in the percentage of successful applications.

D.—General results of cases in Magistrates' Courts.

Persons brought to trial.

48. Proceedings were commenced before Magistrates against 178,105 persons in the past, as compared with 176,795 persons in the previous, year. The manner in which the accused persons were brought before the Courts in each year is compared below :—

		Number		*Percentage*	
		1881	1882	1881	1882
Under arrest by police	...	71,770	68,569	41	39
Upon warrant	...	12,207	13,477	7	8
On summons	...	86,605	89 645	49	50
Voluntarily	...	5,713	5,761	3	3
On reference	...	437	601	...	...
By transfer	...	63	52	...	...

The variations are the natural consequence of the decrease in serious and increase in petty crime brought to notice in the earlier sections of this report.

General results of trials.

49. Including 2,510 persons under trial at the commencement of the year, there were 180,615 persons for disposal by Magistrates during the year 1882. Of these, 177,632 persons, or 98·4 per cent., were disposed of during the year as under :—

Died, escaped, or not proceeded against in consequence of insanity ...	150
Transferred	66
Discharged for want of prosecution ...	48,791, or 27 per cent.
Discharged on other grounds or acquitted	49,273, or 28 „
Convicted	77,719, or 44 „
Committed or referred	1,633, or 1 „

The ratio of persons disposed of to persons for disposal was, as nearly as possible, the same as in the previous year. As regards the manner of disposal, the proportion of persons discharged for want of prosecution is 3 per cent. higher, of persons otherwise discharged or acquitted 1 per cent. higher, and of persons convicted 4 per cent. lower than in the preceding year.

Persons convicted, committed or referred.

50. The percentage of persons who were convicted, committed or referred by Magistrates in each district is given for the past and previous year in the annexed table—

District	Percentage of persons convicted, committed or referred	
	1881	1882
Delhi ...	46	42
Gurgaon ...	50	41
Karnál ...	64	58
Hissar ...	59	61
Rohtak ...	67	59
Sirsa ...	51	51
Umballa ...	52	39
Ludhiána ...	36	33
Simla ...	86	75
Jullundur ...	45	33
Hoshiárpur ...	22	17
Kángra ...	58	55
Amritsar ...	33	32
Gurdáspur ...	19	21
Siálkot ...	45	40
Lahore ...	45	41
Gujránwála ...	52	47
Ferozepore ...	53	44
Rawalpindi ...	44	50
Jhelum ...	60	55
Gujrat ...	34	25
Shahpur ...	52	47
Mooltan ...	55	60
Jhang ...	57	61
Montgomery ...	54	51
Muzaffargarh ...	61	54
Dera Ismail Khan ...	66	67
Dera Ghází Khan ...	60	51
Bannu ...	66	61
Pesháwar ...	63	62
Hazára ...	43	44
Kohát ...	68	58
TOTAL ...	49	45

Gurgaon, Umballa, Simla, Jullundur, Ferozepore, Gujrat, Dera Ghází Khan and Kohát.

It will be seen that the decline in the percentage of successful prosecutions extends to all but six districts and is most marked in the districts noted in the margin. The Hoshiárpur and Gurdáspur Districts are again those which show the lowest percentages, the percentage being as low as 17 in the district first named. Excluding the Simla District, the conditions of which are peculiar, the percentages were highest in the year under report in Dera Ismail Khan (67), Pesháwar (62), Hissar and Bannu (61), and Mooltan (60).

Results of trials in different classes of Magisterial Courts.

51. The results of trials and enquiries in the different classes of Magisterial Courts are given for the two past years in the annexed table :—

Class of Court	Number of persons disposed of		Percentage of persons convicted, committed or referred	
	1881	1882	1881	1882
Deputy Commissioners ...	8,387	7,290	58	64
Judicial Assistants, including Judicial Extra Assistants — Europeans ...	3,042	2,458	54	37
Judicial Assistants, including Judicial Extra Assistants — Natives ...	2,816	4,590	50	50
Assistant Commissioners ...	13,073	13,538	50	45
Extra Assistant Commissioners — Europeans ...	3,546	3,863	42	34
Extra Assistant Commissioners — Natives ...	43,859	42,530	49	44
Tahsíldárs ...	55,972	60,975	44	39
Náib-Tahsíldárs ...	8,663	6,599	35	42
Munsiffs ...	192	146	90	95
Cantonment Magistrates ...	7,596	6,597	79	75
Judges of Small Cause Courts ...	97	53	40	36
Canal Officers and other Special Magistrates ...	1,627	1,734	67	77
Boards of Honorary Magistrates ...	16,602	15,216	52	46
Honorary Magistrates sitting singly ...	11,503	12,043	38	44
TOTAL ...	176,975	177,632	49	45

The figures show that the percentage of convictions was lower last year in almost all classes of Courts. The falling-off was most pronounced in trials by European Judicial Assistants and Extra Assistants, and especially in trials held by officers of this class in the Ludhiána, Gurdáspur and Rawalpindi Districts.

Mode of trial and nature of sentence in the case of convicted persons.

52. Of the entire number of persons who were convicted during the year under report, 70,822, or 91 per cent., were convicted on regular trial, and 6,897, or 9 per cent., summarily. In the preceding year, 87 per cent. of the convictions were in regular, and 13 per cent. in summary, trials. Of the sentences passed in regular trials, 76 per cent. were appealable, the percentage of appealable sentences in summary trials being 44.

Persons awaiting trial.

53. Throughout the province, 2,983 persons were awaiting disposal by Magistrates at the end of the year, or 475 more than at the end of the previous year. The numbers were largest in the Gurdáspur (323), Hoshiárpur (240) and Lahore (222) Districts, but in the two districts first named the figures compare favourably with those of the previous year, when 335 persons were awaiting trial in Gurdáspur and 345 in Hoshiárpur.

Cases for disposal, disposed of and pending.

54. The following table shows the number of cases for disposal, disposed of and pending in the Magisterial Courts of the province during each of the past two years:—

Year		*For disposal*	*Disposed of*	*Pending*
1881	...	85,109	83,884	1,225
1882	...	85,457	84,026	1,431

The percentage of cases disposed of was 98 in both years. The disposals of the year under report consisted of—

479 enquiries into sessions cases,
52,393 summons cases, and
31,154 warrant cases.

Of the summons cases 92 per cent., and of the warrant cases 96 per cent., were tried regularly, the percentages in the previous year having been 88 and 94 respectively.

Thus, it will be seen that there was, taking summons and warrant cases together, a considerable falling-off in the percentage of cases tried summarily. The number of summary trials held by the various classes of Magistrates during the past and the previous year are given below:—

			1881	1882
Magistrates of Districts	...	...	471	302
Boards of Magistrates	...	...	2,998	2,321
Cantonment Magistrates	...	...	2,373	2,086
Other Magistrates	...	...	2,145	939

The falling-off in the number of cases tried summarily by Boards of Magistrates is principally due to the decline in prosecutions for breaches of municipal rules to which attention has been already drawn. Last year, the charge of the Rawalpindi Cantonment was transferred from a Magistrate of the first class who had summary powers to a Magistrate of the second class who could not be given these powers, and this accounts for fewer cases having been tried summarily by Cantonment Magistrates. No special reasons can be given for District Magistrates and Magistrates not included in the classes already mentioned having tried fewer cases summarily last year than in the preceding year.

References under Section 46, Criminal Procedure Code.

55. Altogether, 425 cases, in which 601 persons were concerned, were referred during 1882 by Magistrates of the second and third class to the District or Divisional Magistrates to whom they were subordinate under Section 46 of the Code of Criminal Procedure. These figures show a considerable advance on those of the previous year, when the cases of 437 persons only were referred. References were most freely made last year in the districts noted in the margin. In the Ferozepore District, owing to the weakness of the head-quarters staff, many cases had to be taken up by Tahsíldárs which would have been more suitably tried by full powered Magistrates at the Sadr. It is satisfactory to find that under these circumstances references were freely made in cases in which the Tahsíldárs could not them-

Ferozepore, Lahore, Shahpur, Muzaffargarh, Montgomery and Mooltan.

selves pass sufficiently severe sentences. Most of the references in the Lahore District were made by the Tahsíldárs of Kasur and Chunián to the Divisional Magistrate at Kasur. Arrangements have been made during the present year to lighten the civil work of the Extra Assistant Commissioner at Kasur, and this should enable him to take up, in future, from the commencement many of the cases which he has hitherto only dealt with after the completion of the enquiry by a subordinate Magistrate. In the Shahpur District a good many references were made by Sardar Charat Singh during the period he officiated as Extra Assistant Commissioner. In the other districts mentioned, Magistrates with subordinate powers did not take up an unusual number of warrant cases, but it is satisfactory to find that they freely used their powers under Section 46 in cases which they considered called for a more severe punishment than they could inflict. Not a single reference was made in the Hoshiárpur District, though 280 warrant cases were disposed of by Tahsíldárs and Honorary Magistrates exercising second class powers, and only 12 cases were referred in the Jhelum and 5 in the Hazára District, though 772 warrant cases in the former and 582 in the latter were disposed of by second and third class Magistrates. In other districts also the proportion between the number of references made by second and third class Magistrates and the number of warrant cases they disposed of suggests an apparent forgetfulness of the provisions of Section 46 which should be enquired into by the District Magistrate.

Pending cases.

56. Out of the 1,431 cases which remained undisposed of at the end of last year, 22 had been pending for over three months. Of these, 7 were pending in the Amritsar and 6 in the Rawalpindi District. The explanation given for the Amritsar cases is frequent change of officers of the head-quarters staff. A considerable number of changes did occur in the superior staff of the Amritsar District last year, and changes, no doubt, must involve a disorganization of cause lists and consequent delays in the disposal of cases. Criminal cases of long standing, however, should be specially arranged for and should be considered to have a first claim on the attention of the officers in whose Courts they are pending. These principles do not seem to have been sufficiently borne in mind by the Amritsar Courts. The Rawalpindi cases were petty cases in the Court of the Sadr Tahsíldár, the disposal of which was delayed by the Tahsíldár's illness. Here too, when it appeared that the Tahsíldár's illness was likely to be protracted, special arrangements should have been made for the disposal of the cases by another Court. This was pointed out to the district authorities at the time.

Oldest cases.

57. The cases which had been longest pending at the close of the year were, a case instituted in the Lahore District in the Court of Mr. Robinson, Magistrate first class, on July 18th 1882, and one of the Amritsar cases, dating from the 24th of the same month, referred to in the preceding paragraph. In the Lahore case the accused was charged with abetment of forgery and giving false evidence, and proceedings were stayed by the Chief Court just before the end of the year on an application being made that the Magistrate was acting without jurisdiction. The result of the application was that the Magistrate was advised that he had no power to deal finally with the case, and was ordered to commit the accused to the Court of Session or to make him over for trial to the Magistrate of the District acting under his enhanced powers.

Average duration.

58. The average duration of the cases disposed of by Magistrates of all denominations last year was 8 days, as in the previous year. The average exceeded 10 days in the five districts named below :—

Amritsar	...	...	...	20 days.
Gurdáspur	...	...	...	18 „
Jhang	...	...	...	13 „
Jhelum	...	...	...	12 „
Montgomery	...	...	...	12 „

The average of the Amritsar District is two days lower than in the previous year and is partly accounted for by the circumstances already referred to. The duration of criminal cases both in this and the Gurdáspur District has formed the subject of correspondence, and the Judges hope that the averages of both districts will be reduced during the current year. The averages of the Jhang and Jhelum Districts are the same as in the preceding year; in both districts special circumstances tend to increase the duration of cases, but nevertheless the averages are, the Judges think, somewhat higher than they need be. The high average of the Montgomery District is chiefly due to the long duration of cases in the Court of Hafiz Samándar Khán, who has since retired. The average of the Tahsíldár of Gugera also contributed to raise the district average.

The following table shows the average duration of cases decided during the past two years by the several classes of Magistrates :—

		Days	
		1881	1882
Special Magistrates ...	... ...	6	5
Honorary Magistrates sitting singly	2nd and 3rd class ...	7	8
	1st class	10	11
Benches of Magistrates ...	... ...	5	6
Stipendiary Magistrates other than Chief Magistrates of Districts	2nd and 3rd class ...	7	9
	1st class	10	9
References under Section 46, Criminal Procedure Code ...		5	3
Chief Magistrates of Districts	Under their ordinary powers	9	9
	Under their powers under Section 36, Criminal Procedure Code	17	16

E.—Distribution of Criminal Business.

Distribution between the several classes of Courts.

59. The total number of cases disposed of during the year under report was 84,821, as compared with 84,699 cases disposed of in the preceding year. The cases were distributed between the several classes of Courts as under :—

Class of Court	Year	Number of cases	Percentage
Special Magistrates	1881	781	0·9
	1882	699	0·8
Honorary Magistrates sitting singly	1881	5,212	6·2
	1882	5,810	6·9
Benches of Magistrates	1881	8,518	10 1
	1882	7,682	9·1
Subordinate Stipendiary Magistrates	1881	64,956	76·7
	1882	66,094	77·9
Magistrates of Districts	1881	4,417	5·2
	1882	3,741	4·4
Courts of Session	1881	707	0·8
	1882	705	0·8
Chief Court	1881	108	0·1
	1882	90	0·1

Distribution in Magisterial Courts.

60. The work of Courts of Session and the Chief Court will be noticed in later sections of this report. Particulars showing how criminal work has been distributed between the different denominations of Magistrates during the past three years are given in the subjoined table :—

Class of Courts	Cases disposed of			Percentage			Average number of cases decided by officers of each grade		
	1880	1881	1882	1880	1881	1882	1880	1881	1882
Special Magistrates	568	781	699	0·6	0·9	0·8	12	12	17
Honorary Magistrates sitting singly	5,124	5,212	5,810	6 1	6·2	6·9	83	84	94
Boards of Honorary Magistrates	9,254	8,518	7,682	10·9	10·2	9·1	617	448	384
Munsiffs	66	159	123	0·1	0·2	0·1	3	5	5
Náib-Tahsíldárs with judicial powers	4,067	3,251	2,737	4 7	3 9	3 3	150	116	109
Tahsíldárs	24,363	24,034	26,217	28·6	28 7	31·2	196	194	211
Judges of Small Cause Courts as Magistrates ...	102	84	39	0·1	0 1	0·1	51	84	13
Cantonment Magistrates	4,185	4,667	4,412	4·9	5·6	5·3	523	583	551
Extra Assistant Commissioners	25,094	23,305	22,103	29·4	27·8	26·3	248	231	218
Assistant Commissioners	5,693	6,381	7,017	6·7	7·6	8·4	167	188	206
Judicial Assistants and Extra Judicial Assistants ...	3,278	3,075	3,446	3·9	3·5	4·1	156	146	157
Deputy Commissioners	3,419	4,417	3,741	4·0	5·3	4 4	107	138	117

Special Magistrates.

61. The figures show a falling-off of 82 in the number of cases disposed of by Special Magistrates, as compared with 1881, and an increase of 131 as compared with 1880. Canal Officers are the only Special Magistrates who dispose of any considerable number of cases, and it has been already pointed out that cases under the Canal Act diminished during the year under report.

Honorary Magistrates sitting singly.

62. Honorary Magistrates sitting singly disposed of more cases than in either of the two previous years. The Magistrate in this class who disposed of the largest number of cases last year was Mr. Goad, the Secretary to the Simla Municipality. This gentleman, as he is not in the service of Government, has been classed as an Honorary Magistrate, but practically he stands in much the same position as a Stipendiary Magistrate. The other gentlemen in this class who rendered the greatest assistance to the criminal administration last year are given below :—

District	Name of Magistrate	Powers	Number of cases disposed of
Ludhiána ...	Shahzada Nadir	2nd class ...	699
Amritsar ...	Sirdar Ajit Singh	1st " ...	586
Delhi ...	Khan Bahadur Hadi Husen Khan	1st " ...	272
Ludhiána ...	Ahsan Shah	3rd " ..	224
Ferozepore ...	Sodhi Mán Singh	1st " ...	202
Hoshiárpur ...	Bedi Sujan Singh	2nd " ...	180
Kángra ...	Rájá of Nadaon	1st " ...	171
Jullundur ...	Sirdar Ajit Singh	2nd " ...	167
Gurgaon ...	Muhammad Siraj-úd-dín Haidar	2nd " ...	155

Shahzada Nadir did not take up any civil work, but Sirdar Ajit Singh decided 1,846 civil cases in addition to the criminal work shown in the table, and thus gratuitously disposed of as much judicial work as any paid Magistrate in the province. Sodhi Mán Singh also disposed of 773 civil cases in addition to 202 criminal cases, while the Rájá of Nadaon decided 480 and Muhammad Siraj-úd-dín Haidar 306 civil cases in addition to a substantial amount of criminal work.

Boards of Honorary Magistrates.

63. There has been a considerable falling-off in the number of cases disposed of by Boards of Honorary Magistrates during the past three years. The work disposed of by each Board during the last two years is compared below :—

District	Board	Powers	*Number of cases disposed of*		
			1881	1882	Difference
Delhi ...	Delhi	2nd class ...	1,613	1,312	—301
	Sonepat	3rd " ...	51	76	+ 25
Gurgaon ...	Rewári	3rd " ...	91	132	+ 41
Rohtak ...	Rohtak	3rd " ...	142	89	— 53
	Jhajjar	3rd " ...	142	109	— 33
	Bahadurgarh	3rd " ...	35	24	— 11
	Beri	3rd " ...	...	99	+ 99
Jullundur ...	Jullundur	2nd " ...	381	270	—111
Amritsar ...	Amritsar	2nd " ...	1,715	1,460	—285
Gurdaspur ...	Batála	2nd " ...	382	292	— 90
Siálkot ...	Baddoke	3rd " ...	281	194	— 87
Lahore ...	Lahore	2nd " ...	1,033	1,165	+132
Gujránwála ...	Gujránwála	2nd " ...	602	486	—116
	Wazirabad	2nd " ...	263	243	— 20
	Mananwála	1st " ...	322	11	—311
Ferozepore ...	Ferozepore	3rd " ...	43	116	+ 73
Rawalpindi ...	Rawalpindi	3rd " ...	...	943	+943
Dera Ismail Khan ..	Dera Ismail Khan	2nd " ...	99	13	— 86
Dera Ghází Khan ...	Dera Ghází Khan	3rd " ...	148	153	+ 5
Peshá'war ...	Pesháwar	3rd " ...	705	497	—208

It has already been pointed out that prosecutions under the Municipal Act decreased in the larger municipal towns in the Punjab, and this accounts for less work having been disposed of by the Delhi, Jullundur, Amritsar and Peshá'war Boards. The Deputy Commis-

sioner of Gujránwála explains that, under his revised rules for the distribution of criminal business, certain classes of cases have been withdrawn from the Gujránwála and Wazírabad Boards as being cases with which they cannot conveniently deal. The local jurisdiction of the Wazírabad Board was also last year restricted to the municipal limits of the town, but this did not take place until towards the end of the year. As regards the decrease of cases in the Mananwála Court, Mr. Bulman explains that the association of Sirdar Nihal Singh with Sirdar Fateh Singh has had the effect of making the sittings of the Court irregular. He has been requested to report further on the subject. The circumstances under which the Ferozepore Board discontinued its sittings in 1881 were specially reported to Government last year. During the course of the year the return of one of the two effective members of the Board enabled it to re-commence work with the result shown in the table. A Board was established for the town of Rawalpindi in April last, and disposed of 943 cases before the close of the year.

Náib-Tahsíldárs.

64. It was pointed out in the Court's report for 1881, that since the introduction of the Judicial Agency Scheme of 1875, Náib-Tahsíldárs have ordinarily only been given judicial powers if they hold independent charges. The work of these officers will, therefore, continue to diminish, as the officers who were invested with powers under the old system are gradually replaced by officers appointed under the new rules.

Tahsíldárs.

65. Tahsíldárs disposed of an average of 211 cases each during the year under report, as compared with averages of 194 and 196 cases in the two preceding years. In the twelve districts shown below, in which an average of 20 cases a month for each Tahsíldár was exceeded, full particulars are given of the incidence of judicial work on the Tahsíl Courts.

District	Criminal		Civil		Total	Remarks
	Summons cases	Warrant cases	Uncontested	Contested		
Ludhiána	272	66	126	75	539	
Jullundur	257	56	229	121	663	
Hoshiárpur	333	56	138	87	614	
Amritsar	257	61	136	179	633	
Gurdáspur	364	67	155	137	723	
Siálkot	214	92	86	153	545	
Lahore	247	105	135	110	597	
Ferozepore	181	159	121	94	555	
Jhelum	134	151	121	123	529	
Gujrat	262	74	145	112	593	
Shahpur	179	91	143	92	505	
Hazára	162	135	99	191	587	

Taking 600 criminal and civil cases a year as a reasonable amount of judicial work for a Tahsíldár, it will be seen that that number was exceeded only in the Gurdáspur, Jullundur, Amritsar and Hoshiárpur Districts. As more than half of all the judicial work disposed of by the Tahsíldárs of the Gurdáspur District consisted of summons cases, and 61 per cent of the persons disposed of were discharged for want of prosecution—in most cases probably when nothing further had been done by the Court than to examine the complainant and issue a summons—the excess in this district is not really so considerable as at first appears. The Tahsíldár of Batála has, however, certainly more judicial work to do than is desirable. The possibility of giving him some relief is engaging the attention of the Court. In the Amritsar District the pressure was chiefly in the Tarn Táran Court. The work of this Court too consists largely of summons cases, which the Judges do not at present see their way to transferring elsewhere. The Commissioner of Jullundur has remarked on the pressure of judicial work on the Tahsíldárs of the Jullundur and Hoshiárpur Districts. The conclusion he has come to is that, considering the nature of the bulk of the criminal cases which come before them, the amount is not excessive except in the Dasúya Court. The amount of criminal work taken up by the Tahsíldár of Dasúya was commented on by the Judges more than once during the year, and the

local authorities have now been asked how it can best be reduced. The Deputy Commissioner of Hoshiárpur points out in his report that of the total number of persons brought before the Tahsíl Courts of his district 60 per cent. were discharged for default of prosecution. The large proportion of uncontested civil cases in the Tahsíl Courts of the Jullundur District suggests the doubt whether the Tahsíldárs did not take up cases which would more suitably have been disposed of by Munsiffs. The point will be further considered in connection with the report on Civil Justice. The proportion of warrant cases is high in the Ferozepore, Jhelum and Hazára Districts. This could not be avoided in the case of the Ferozepore District. The Deputy Commissioners of Jhelum and Hazára were specially addressed on the subject in connection with their criminal returns for 1881.

Subordinate Courts at head-quarters.

66. The work of Assistant Commissioners and Extra Assistant Commissioners does not call for special remark. Judicial Assistants and Extra Judicial Assistants decided more cases than in either of the two previous years.

Deputy Commissioners.

67. Deputy Commissioners, as Magistrates of Districts, disposed of 3,741 original cases last year, as compared with 4,417 cases in the previous year and 3,419 cases in 1880. Further particulars regarding the criminal work disposed of by Deputy Commissioners during the past two years are given in the subjoined statement:—

District	Under his enhanced powers		Under his ordinary powers		With the assistance of a Council of Elders		Under his appellate powers	
	1881	1882	1881	1882	1881	1882	1881	1882
Delhi	85	29	61	81	...	...	74	94
Gurgaon	15	4	70	28	...	...	45	59
Karnál	18	11	58	45	...	...	56	63
Hissar	25	21	44	49	...	...	40	34
Rohtak	27	30	30	29	...	...	114	65
Sirsa	18	11	254	177	...	...	27	18
Umballa	28	14	58	10	...	...	34	76
Ludhiána	21	36	82	42	...	...	114	119
Simla	4	6	21	13	...	...	...	...
Jullundur	33	14	30	55	...	...	114	98
Hoshiárpur	16	11	33	41	...	...	109	120
Kángra	13	13	45	32	...	...	58	79
Amritsar	42	45	240	195	...	...	90	135
Gurdáspur	9	18	24	66	...	...	80	126
Siálkot	29	30	116	58	...	...	102	148
Lahore	40	54	61	44	...	...	89	88
Gujránwála	21	26	270	151	...	...	68	115
Ferozepore	8	18	347	8	...	...	62	100
Rawalpindi	30	23	91	73	...	...	195	168
Jhelum	29	37	91	57	...	...	104	140
Gujrat	10	17	88	80	...	...	81	63
Shahpur	19	5	39	29	...	...	51	95
Mooltan	47	62	123	106	...	..	60	68
Jhang	11	20	292	56	...	...	126	90
Montgomery	10	25	115	65	...	...	35	38
Muzaffargarh	34	28	159	87	...	...	29	44
Dera Ismail Khan	16	33	67	73	51	65	24	27
Dera Ghází Khan	27	45	95	175	32	38	26	26
Bannu	20	23	64	54	108	143	7	10
Pesháwar	11	4	61	85	123	128	11	25
Hazára	8	4	43	24	28	13	9	32
Kohát	...	1	36	49	233	172	4	7
Total ...	674	718	3,168	2,089	575	559	2,038	2,370

Under their enhanced powers, Deputy Commissioners disposed of 44 more cases than in the previous year. The Deputy Commissioner of Mooltan decided 62 such cases, the Deputy Commissioner of Lahore 54, the Deputy Commissioners of Amritsar and Dera Ghází Khan 45 cases each. The officers who made the least use of their enhanced powers were the Deputy Commissioners of Gurgaon, Simla, Shahpur and the districts of the Pesháwar Division.

There is a falling-off of 1,079 in the number of cases disposed of by Deputy Commissioners under their ordinary powers. The decline, which is most apparent in the Sirsa, Gujránwála, Ferozepore and Jhang Districts, probably represents a falling-off in bad livelihood cases only.

In the Frontier Districts 559 cases were disposed of with the assistance of Councils of Elders, as compared with 575 cases in the previous year.

Two hundred and thirty-two more appeals were disposed of by Deputy Commissioners in 1882 than in 1881.

Distribution of work among classes of Magistrates.

68. Under their ordinary powers Magistrates disposed of 82,732 cases during the year under report. The distribution of such cases among the different classes of Magistrates is shown for the past two years in the following table :—

		Number of cases		*Percentage*	
		1881	1882	1881	1882
Magistrates of the 1st class ...	European ...	16,119	13,555	20	16
	Native ...	23,597	22,850	29	28
Magistrates of the 2nd and 3rd class	European ...	1,790	3,233	2	4
	Native ...	41,129	43,094	49	52

F.—Special Jurisdiction of Magistrates.

Jurisdiction under Section 36, Criminal Procedure Code.

69. It has been shown above that 718 cases were disposed of by District Magistrates in the exercise of their enhanced powers. Of these cases, 38 per cent. were triable exclusively by a Court of Session and 60 per cent. were cases triable by a Magistrate in which the ordinary powers of punishment of a Magistrate of the first class were exceeded.

The total number of persons dealt with by District Magistrates under their enhanced powers was 986, of whom 265, or 27 per cent., were acquitted, and 721, or 73 per cent, were convicted. Of these last, 311 persons received sentences requiring the confirmation of the Sessions Judges; of the sentences referred for confirmation, 262 were confirmed, 20 were modified, 14 were annulled and 15 were under disposal at the end of the year.

The average duration of cases of this class was, as has already been shown in paragraph 58, 16 days for the province, or one day less than in the two previous years. The provincial average was greatly exceeded in the four districts noted in the margin. The officer who held charge of the Hoshiárpur District during the six weeks which intervened between the departure of Mr. Coldstream to Simla and the arrival of Mr. Roe was not invested with enhanced powers, and this partly accounts for the high average of that district. There were no special reasons why the general average should have been so much exceeded in the other districts named. The Courts concerned were addressed on the subject during the year.

Hoshiárpur ...	63 days.
Ludhiána ...	43 „
Rawalpindi ...	36 „
Bannu ..	30 „

Summary jurisdiction.

70. Summary trials, which are usually noticed in this section, have been remarked on in Section D.

Jurisdiction over European British subjects.

71. Last year, 149 European British subjects were charged before Magistrates with criminal offences, as against 192 in the previous year. The result of the prosecutions was that 70 persons were acquitted or discharged, 74 persons were convicted and punished by Magistrates, and 5 persons were committed for trial—3 to the Chief Court and 2 to the Sessions Judge of Delhi.

Of the persons punished by Magistrates, 7 received sentences of imprisonment, varying from one day to three months, with three months more in default of payment of fine; 61 were fined only, in amounts ranging from 8 annas to Rs. 200; 2 were ordered to furnish security to keep the peace, and 4 were ordered to remove nuisances.

Jurisdiction under Frontier Rules.

72. The working of the Frontier Rules during the past two years is compared in the annexed table :—

District	*Regulation I of 1872, Sec. 3* Proceedings against villages for suppression of evidence or harbouring criminals		*Regulation I of 1872, Sec. 4* Cases in which persons were deported on account of quarrels likely to lead to bloodshed		*Regulation I of 1872, Sec. 8* Adultery		*Regulation IV of 1873, Sec. 2* References to Councils of Elders		*Regulation VIII of 1873, Sec. 6* Crossing the Frontier		*Regulation IX of 1874* Grazing	
	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882	1881	1882
Dera Ismail Khan	...	...	...	5	3	6	51	65	...	...	...	...
Dera Ghází Khan	...	3	...	1	...	3	32	38	...	1	...	...
Bannu	2	6	...	...	...	2	106	143	...	...	...	1
Pesháwar	2	7	6	9	...	..	115	128	...	...	...	...
Hazára	...	1	1	...	...	...	27	13	...	...	...	...
Kohát	2	4	6	3	...	...	233	172	..	...	...	...
Total ...	6	21	13	18	3	11	564	559	...	1	...	1

73. Proceedings were taken against 21 village communities last year, as compared with 6 in the preceding year, for suppressing evidence or harbouring criminals. In the case of 6 villages, the proposals of the Deputy Commissioner were not approved by the Commissioner. Fifteen villages were fined with the concurrence of the Commissioner, the aggregate sums awarded in the different districts being as noted in the margin.

		Rs.
Bannu	(3 villages)	1,129
Pesháwar	(7 „)	5,129
Hazára	(1 „)	160
Kohát	(4 „)	730

74. Sections 4 and 8 of Regulation No. I of 1872 were also used more freely last year than in the previous year.

75. Five hundred and fifty-nine cases, in which 1,462 persons were concerned, were disposed of by Councils of Elders during the year under report. The percentage of convictions for the whole frontier was 49 in 1881 and 57 last year. The percentage for each district is given for the past and previous years below :—

		1881	1882
Dera Ismail Khan	...	57	86
Dera Ghází Khan	...	77	90
Bannu	...	31	51
Pesháwar	...	70	67
Hazára	...	54	39
Kohát	...	43	43

In Bannu the percentage has risen from 31 to 51, but it appears that the improvement is confined to the Trans-Indus tracts. The desirability of withdrawing the Cis-Indus portion of this district from the scope of the Frontier Rules was suggested as a matter for consideration in last year's report, in consequence of certain remarks made by Mr. Udny, who then held charge of the district. The local authorities, on being consulted, deprecated any change being made, and, in deference to this opinion, the Government decided not to take immediate action in the matter. The subject is still under consideration and will be further reported on when certain information which has been asked for by His Honor has been supplied by the local officers. It appeared from the table in paragraph 72 that very few references were made to Councils of Elders in the Hazára District, and it now further appears that the references which were made were far from successful. The Sessions Judge expresses an opinion that the power of reference was not exercised very judiciously in the Hazára District last year.

The amount of fines imposed and of compensation awarded therefrom by Councils of Elders during the last two years is compared in the following table :—

District	Fines imposed 1881	Fines imposed 1882	Amount awarded in compensation 1881	Amount awarded in compensation 1882
Dera Ismail Khan ...	3,334	5,001	3,334	4,919
Dera Ghází Khan ...	7,514	9,131	4,234	7,264
Bannu ...	8,975	7,574	7,408	6,108
Pesháwar ...	16,523	19,973	9,354	10,098
Hazára ...	1,482	650	856	490
Kohát ...	29,067	13,020	5,995	7,241

It will be seen that the fines imposed last year in the Kohát District were much more moderate in amount than in the previous year and that a much larger proportion was awarded in compensation to the injured persons. In the Dera Ghází Khan District the average incidence of the fines imposed was Rs. 240 per head, but four-fifths of the whole amount were awarded as compensation.

Regulations VIII of 1873 and IX of 1874.

76. One person in the Dera Ghází Khan District was required to furnish security that he would not cross the frontier, and one person was fined in the Bannu District for disregarding the Grazing Regulation of 1874.

Murderous Outrages Act.

77. One person was convicted under the Murderous Outrages Act in the Bannu District and sentenced to death and executed.

G.—Original Jurisdiction of Courts of Session.

Original business consists of sessions trials and references.

78. The original business of Courts of Session in the Punjab consists of sessions trials, which are usually conducted with the aid of assessors, and cases in which sentences passed by Magistrates are referred for confirmation under the provisions of the Code of Criminal Procedure and certain Local Acts.

Sessions trials.

79. In the annexed table, to which the totals of the previous year have been added for purposes of comparison, will be found particulars of the sessions trials of the year:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	For Disposal				Disposed of						Pending at the end of the year					
	Persons		Total		Persons				Total							
Division	Remaining from previous year	Committed to the Sessions during the year	Cases	Persons	Died, escaped or transferred, trial postponed in consequence of insanity	Acquitted	Convicted	Convicted and referred to Chief Court under Section 287, Criminal Procedure Code	Cases	Persons	Cases	Persons	Percentage of persons convicted	Cases pending over three months	Average duration	Date of oldest case pending
Delhi ...	1	40	18	41	...	19	11	9	17	39	1	2	51	...	57	26th December 1882
Hissar ...	7	40	24	47	...	19	23	5	24	47	...	...	59	...	37	
Umballa ...	1	28	14	29	...	12	15	2	14	29	...	...	59	...	35	
Jullundur ...	...	27	17	27	...	3	9	6	13	18	4	9	83	...	45	26th October 1882
Amritsar ...	4	31	23	39	...	11	18	8	21	37	2	2	70	...	49	27th November 1882
Lahore ...	1	54	34	55	...	15	24	13	32	52	2	3	71	...	55	25th October 1882
Rawalpindi ...	31	119	70	150	...	53	50	24	63	127	7	23	58	...	65	23rd November 1882
Mooltan ...	...	55	34	55	1	11	28	6	27	46	7	9	73	...	37	7th November 1882
Derajat ...	38	92	60	130	1	42	51	15	52	119	8	11	51	1	146	27th September 1882
Pesháwar ...	63	261	156	324	1	147	117	20	138	285	18	39	48	...	36	14th October 1882
Total 1882	146	751	450	897	3	342	346	108	401	799	49	98	57	1	56	27th September 1882
Total 1881	104	892	482	998	7	296	411	136	423	850	59	146	64	12	58	14th June 1881

The table shows a decrease of 32 in the number of cases and of 101 in the number of persons for disposal, as compared with the previous year. Commitments decreased in the Umballa, Rawalpindi and Derajat Divisions, were nearly stationary in Delhi, Hissar, Amritsar, Lahore and Pesháwar, and increased in the Jullundur and Mooltan Divisions.

Details of disposal.

80. Of the total number of persons for disposal, 89 per cent. were disposed of, as against 88 per cent. in the previous year. The manner of disposal is shown in the following table, which also gives the results of the trials of the previous year :—

	Number		Percentage	
	1881	1882	1881	1882
Convicted and sentenced to death ...	136	108	16	14
Convicted and sentenced otherwise ...	411	346	48	43
Acquitted	296	342	35	43
Died, &c.	7	3	1	...

The decrease in the percentage of convictions is noteworthy. It chiefly manifests itself in the Pesháwar Court, where the percentage fell from 62 to 48.

The average duration of sessions trials was 56 days, as compared with 58 days in 1881 and 51 days in 1880. Exceptional circumstances, which were specially reported to Government, account for the high average of the Derajat Court. Excluding the Derajat, the average duration for the rest of the province was 46 days only.

Pending cases.

81. Of the 49 cases which were pending at the end of the year, only one had been pending for just over three months in the Derajat Court. It was disposed of early in the current year.

References and their results.

82. In all, 304 references were disposed of by Courts of Session last year. Of these references, 252 were made under Section 36 of Act X of 1872, 30 under Section 507 of that Act, 19 under Section 3 of Frontier Regulation I of 1872, and 3 under Section 42 of the Punjab Laws Act, IV of 1872. It has already been stated, regarding the sentences referred under Section 36 of the Criminal Procedure Code, that the conviction was affirmed in respect of all but 14 persons. All but two of the orders referred under Section 507 of the Code were confirmed, 15 out of the 19 orders referred under the Frontier Rules were upheld, and all the orders referred under the Punjab Laws Act. The average duration of the references under Section 36 was 10 days and of the other descriptions of references 21 days.

Original business disposed of by Additional Sessions Judges.

83. The Additional Sessions Judge of Jullundur disposed of 4 sessions cases and 10 references appertaining to the Jullundur District, and the Additional Judge of the Lahore and Rawalpindi Divisions relieved the Sessions Judge of Lahore of 7 sessions cases and 16 references, and the Sessions Judge of Rawalpindi of 16 sessions cases. All the criminal business of the Pesháwar Division was, as usual, disposed of by the Sessions Judge.

Trials with assessors.

84. In 381 of the sessions trials assessors were employed. In 346 of these cases the Judge concurred in the opinion of the assessors or of a majority of them; in 7 of the remaining cases the Judge agreed with one assessor and differed from two, and in 28 cases differed from all three assessors.

Trials of European British subjects.

85. Two European British subjects were tried last year by the Sessions Judge of Delhi, one on charges of theft and criminal misappropriation of property, and the second for causing hurt. Both were acquitted.

H.—Witnesses.

Total number of witnesses examined.

86. The total number of witnesses who were examined in criminal cases last year was 229,332, as compared with 229,048 witnesses examined in the previous year. Further particulars are given for each year below :—

	1881	1882
District Courts	223,146	224,668
Sessions Courts	5,807	4,591
Chief Court	95	73

Attendance of witnesses in District Courts.

87. Including witnesses who were not examined, the total number of witnesses who attended District Courts was 232,474. Of these, 90 per cent. were discharged on the first day of their attendance, 7 per cent. on the second day, 2 per cent. on the third, and 1 per cent. were detained for more than three days. In the two previous years, 89 per cent. of the witnesses were discharged on the first day, 8 per cent. on the second and the other proportions were the same.

The districts where the largest number of witnesses were detained for more than three days were—

Muzaffargarh ...	... 144	Bannu	... 125
Ludhiána ...	... 143	Shahpur	... 103

The detention of witnesses in these districts was noticed by the Court during the course of the year and the necessary orders were communicated to the officers concerned. In the Simla and Dera Ghází Khan Districts no witnesses were detained more than two days, and in the Sirsa and Gujrat Districts more than three days.

The longest detentions were in Gurdáspur, where 27 witnesses were detained for periods varying from 9 to 15 days, and in Mooltan and Kángra, where 7 and 3 witnesses, respectively, were detained for similar periods. The reasons given for the detentions in the Mooltan and Kángra Districts are sufficient. The detentions in the Gurdáspur District have not been satisfactorily accounted for and the Courts concerned have been informed accordingly.

Dieting of witnesses in District Courts.

88. The annexed statement gives particulars regarding the dieting of witnesses in District Courts.

District	Number of witnesses who attended the Courts	Total number of witnesses examined	Actual number of witnesses dieted	Number of witnesses dieted by		Amount of diet money paid		Average cost of each witness dieted		Percentage of witnesses dieted to those examined
				Police	Magistrate	By Police	By Magistrate	By Police	By Magistrate	
								Rs. A. P.	Rs. A. P.	
Delhi ...	9,495	9,312	1,578	664	1,286	113	478	0 2 8	0 5 11	17
Gurgaon ...	5,452	5,389	1,380	1,102	624	320	307	0 4 8	0 7 10	26
Karnál ...	4,862	4,593	1,398	1,262	1,014	275	328	0 3 5	0 5 2	30
Hissar ...	5,057	5,010	761	369	410	69	128	0 2 11	0 5 0	15
Rohtak ...	7,388	6,784	1,908	1,401	1,571	261	638	0 3 0	0 6 6	28
Sirsa ...	2,655	2,655	716	514	247	141	106	0 4 5	0 6 11	27
Umballa ...	9,121	8,775	3,590	2,537	2,034	809	1,018	0 5 1	0 8 0	41
Ludhiána ...	7,000	6,506	3,277	555	2,722	209	939	0 6 0	0 5 6	50
Simla ...	2,506	2,506	245	11	234	7	209	0 10 2	0 14 3	9
Julundur ...	6,177	6,177	2,130	587	1,794	108	671	0 2 11	0 5 11	34
Hoshiárpur ...	6,497	6,461	2,556	1,252	1,281	281	841	0 3 7	0 10 6	39
Kángra ..	4,825	4,818	2,382	771	1,611	179	543	0 3 9	0 5 5	49
Amritsar ...	14,833	13,205	4,924	4,520	2,199	725	856	0 2 6	0 6 3	37
Gurdáspur ...	7,540	7,540	3,007	1,057	1,950	188	1,154	0 2 10	0 9 5	40
Siálkot ...	9,176	8,980	1,775	1,659	832	325	376	0 3 2	0 7 3	20
Lahore ...	15,595	15,318	5,211	4,438	2,680	883	946	0 3 2	0 5 8	34
Gujránwála ...	9,218	9,069	1,377	1,320	407	317	192	0 3 10	0 7 7	15
Ferozepore ...	6,368	6,368	1,561	1,427	910	348	311	0 3 11	0 5 6	24
Rawalpindi ...	15,710	14,801	4,705	2,908	1,835	463	1,006	0 2 7	0 8 9	32
Jhelum ...	8,778	8,674	1,220	519	681	361	1,242	0 11 2	1 13 2	14
Gujrat ...	5,430	4,268	3,130	2,991	139	472	102	0 2 6	0 11 9	73
Shahpur ...	7,417	6,937	1,032	992	90	319	57	0 5 2	0 10 2	15
Mooltan ...	10,689	10,343	2,847	1,664	2,185	709	2,022	0 6 9	0 14 9	28
Jhang ...	5,046	5,038	2,209	1,462	1,250	409	633	0 4 6	0 8 1	44
Montgomery ...	6,445	6,415	2,312	2,249	359	489	201	0 3 6	0 8 11	36
Muzaffargarh ...	7,839	7,664	2,369	1,837	843	477	570	0 4 1	0 10 9	31
Dera Ismail Khan ...	4,208	4,027	1,180	221	1 164	40	827	0 2 11	0 11 5	29
Dera Ghází Khan ...	4,532	4,532	1,391	...	1,391	...	1,054	... . ..	0 12 1	31
Bannu ...	4,554	4,460	500	142	421	89	372	0 10 0	0 14 2	11
Peshávar ...	9,320	9,289	248	...	248	...	416	... ...	1 10 10	3
Hazára ...	3,835	3,818	1,728	783	1,118	107	250	0 2 2	0 3 7	45
Kohát ...	4,906	4,906	889	...	889	...	950	... ...	1 1 1	18
Total ... 1882 ...	232,474	224,668	65,536	41,214	36,419	9,493	19,743	0 3 8	0 8 8	29
Total ... 1881 ...	228,627	223,146	64,516	39,578	37,048	9,807	17,201	0 4 0	0 7 5	29

The figures show an increase in the total number of witnesses who received diet money, but the increase is only in the number dieted by the police. Fewer witnesses were paid their expenses by Magistrates, notwithstanding the increase in the number examined. In petty cases, however, witnesses usually receive their expenses direct from the parties who call them, and it has already been pointed out that the proportion of petty cases was unusually large last year. The average amount of diet-money paid by the police was 3 annas and 8 pies, as against 4 annas in the previous year. The rates varied from 11 annas and 2 pies in the Jhelum to 2 annas and 2 pies in the Hazára District. The rates are always high in the Jhelum District on account of the long distances the witnesses often have to travel. The Hazára rate is probably lower than it should be. The witnesses who were paid their expenses by Magistrates were paid at higher rates than in the previous year, the average allowance being 7 annas and 5 pies in 1881 and 8 annas and 8 pies last year. The average allowance exceeded a rupee in the Jhelum, Peshâwar and Kohât Districts, but in these districts witnesses only appear to be allowed their expenses in exceptional cases and then, naturally, are paid at exceptional rates. The general rules relating to the payment of expenses to witnesses in criminal cases should be given effect to in these districts as much as in the rest of the province, and orders have been issued to this effect. The attention of the Magistrates of the districts noted in the margin, in which expenses seem to be seldom paid, has also been drawn to the orders of Government on the subject.

Delhi, Hissar, Gujránwála, Shahpur and Bannu.

89. During the year under report, 98,890 criminal processes were served by the Process-serving Establishment, as compared with 88,325 processes in the preceding year. The rest of the processes issued in each year were served through the police.

Service of criminal processes by the Process-serving Establishment.

PART II.—PUNISHMENTS.

90. Throughout the province, 77,884 persons were punished for criminal offences last year, as compared with 84,630 persons in the previous year. Of the persons punished last year, 736 had been once previously convicted and 328 more than once. In the preceding year, 906 persons were punished for the second time and 368 had been at least twice before convicted. These figures show a diminution of 8 per cent in sentences generally, and point to a satisfactory decrease in offences committed by habitual offenders.

Totals of two last years compared.

91. The following statement shows the sentences passed by the different classes of Courts during the past two years:—

Variations in different descriptions of punishment.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
			PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE			
				TRANSPORTATION			IMPRISONMENT				WHIPPING		FINE					
							Rigorous											
CLASS OF TRIBUNAL	Year	Total number of persons punished	Death	For life	For a term	Penal Servitude	With solitary confinement	Without solitary confinement	Simple	Forfeiture of property	In addition to other punishment	In lieu of other punishment	With imprisonment	Without imprisonment	Security to keep the peace	Recognizance to keep the peace	Sureties for good behaviour	Punished otherwise
Magistrates' Courts ...	1881	83,747	...	...	...	...	9,894	5,485	758	...	467	2,666	11,110	51,265	4,836	2,433	6,398	22
	1882	77,083	...	...	...	...	9,109	5,217	738	...	271	1,597	10,405	48,672	4,589	2,103	5,194	33
Sessions Courts ...	1881	762	...	118	31	...	446	119	7	23	29	2	251	21	...	...	18	...
	1882	702	1	115	36	...	375	114	2	3	10	...	190	36	5	...	23	...
Chief Court ...	1881	121	81	31	...	2	...	7	...	..	...	...	4	...	...	...	...	...
	1882	99	63	28	5	2	...	1	...	..	...	...	...	...	...	...	...	...
Total ...	1881	84,630	81	149	31	2	10,340	5,611	765	23	496	2,668	11,365	51,286	4,836	2,433	6,406	22
	1882	77,884	64	143	41	2	9,484	5,332	740	3	281	1,597	10,595	48,708	4,594	2,103	5,217	33

Proportions in which punishments were awarded.

92. The proportions in which the various punishments were inflicted are exhibited in the following table:—

Punishment	1881		1882	
	Number	Percentage	Number	Percentage
Death	81	0·1	64	0·1
Transportation for life	149	0 2	143	0·2
Transportation for a term	31	...	41	...
Penal servitude	2	...	2	...
Imprisoned and fined	11,365	13·4	10,595	13·6
Imprisoned and whipped	496	0 6	281	0·3
Imprisoned only	4,855	5·7	4,506	5·8
Whipped only	2,668	3·2	1,597	2·1
Fined only	51,286	60·6	48,708	62·5
Ordered to find security to keep the peace	4,836	5·7	4,594	5·9
Ordered to enter into recognizance to keep the peace... ...	2,433	2·9	2,103	2·7
Ordered to find security for good behaviour	6,406	7·6	5,217	6·7
Punished otherwise	22	...	33	...
Total ...	84,630	...	77,884	...

Death sentences and sentences of transportation for life.

93. The falling-off in the number of death sentences and sentences of transportation for life unfortunately does not represent a decrease in the number of offences for which these punishments are commonly awarded. As has been already pointed out, murders and other homicides increased, but fewer of the offenders were brought to justice than in the previous year.

Imprisonment.

94. The proportion of persons sentenced to imprisonment was exactly the same (19·7 per cent.) in both years. The following are the details of the periods for which imprisonment was ordered in the sentences passed in 1881 and 1882, respectively :—

	Number 1881	Number 1882	Percentage 1881	Percentage 1882
Not exceeding 15 days	1,567	1,568	9	10
" " 6 months	8,949	8,532	54	55
" " 2 years	5,368	4,545	32	29
" " 7 "	805	873	5	6
Above 7 "	27	38	...	...
Total ...	16,716	15,556	...	...

In 14,816, or 95 per cent., of the sentences passed in 1882, the offenders were ordered to be rigorously imprisoned, and in 64 per cent. of these sentences terms of solitary confinement were included. The ratios were nearly the same in the previous year.

Forfeiture of property.

95. Only 3 sentences of forfeiture of property were passed last year, by the Sessions Judge of the Derajat, as against 23 sentences in the preceding year.

Whipping.

96. During the year under report, 1,878 sentences of whipping were passed, as compared with 3,164 sentences in the preceding year. Full particulars of the sentences passed last year will be found in Statement No. 5 A in the Appendix, which has, under the orders of the Government of India, been prepared on the present occasion for the first time. From that statement it will be seen that out of the total number of persons who might have been whipped, either in lieu of or in addition to other punishment, 15 per cent. were whipped. In all, 1,311 adults and 255 juveniles were sentenced, under Sections 2 and 3 of the Whipping Act, to whipping in lieu of other punishment, and of these 29 had been previously convicted and might therefore have been imprisoned or fined as well. Thirty-two juveniles were also sentenced to whipping in lieu of other punishment under Section 5 of the Whipping Act. Of the 280 persons who were awarded stripes in addition to other punishment, 270 were sentenced by Magistrates and 10 by Courts of Session.

As regards the offences for which the punishment was awarded, 1,787, or 95 per cent., of the sentences were passed in cases of theft, dishonest receiving of stolen property and burglarious trespasses, and not a single sentence on conviction for extortion, false evidence, or forgery, for which offences, it will be remembered, the Government of India in its recent Resolution on the subject of the infliction of the punishment of whipping by Criminal Courts pronounced the punishment to be suitable only in cases of special turpitude on the part of the offender. In 4 cases, regarding which orders have been issued to the Courts concerned, sentences of whipping were illegally passed for offences not punishable with whipping, but, speaking generally, the sentences seem to have been only passed in suitable classes of cases.

As regards the number of sentences, the ratio of persons sentenced to whipping to the total number of persons punished has fallen from 0·6 to 0·3 in the case of persons who were awarded stripes as an additional punishment, and from 3·2 to 2·1 in the case of persons who were only whipped. In the correspondence which took place in connection with the Resolution of the Government of India above referred to, the Judges pointed out that the Criminal Courts of the Punjab err in the direction of inflicting the punishment of whipping too little rather than too much, and expressed their apprehensions that the views of the Government of India would be misunderstood by the Native Magistracy of this province, which, as a class, is opposed to the infliction of the punishment under any circumstances. The statistics now under review and the opinions expressed by many local officers show that the Court's apprehensions were not without foundation, and that sentences of whipping were avoided more than ever, in spite of special efforts being made by the Court and Divisional and District Officers to secure the infliction of the punishment in suitable cases.

The details of the sentences of whipping passed during the last two years are given below:—

		1881	1882
Not exceeding 10 stripes	...	699	432
„ 20 „	...	1,465	906
„ 30 „	...	1,000	540

Fine.

97. Fine was imposed, either as the sole or as an additional punishment, on 76 per cent. of the total number of persons punished. The proportion was 2 per cent. lower in the two previous years, in each of which the proportion of persons punished with fine only was 60 per cent. as compared with 62 per cent. last year. Further particulars regarding the sentences of the two past years are given below:—

	Number		*Percentage*	
	1881	1882	1881	1882
Not exceeding Rs. 10 ...	49,377	46,716	79	79
„ „ 50 ...	11,480	10,949	18	18
„ „ 100 ...	1,224	1,116	2	2
Exceeding „ 100 ...	570	522	1	1

Amounts imposed and realized and awarded and paid in compensation.

98. The total amounts of fines imposed and realized, and of compensation awarded and paid away, during the last two years are compared below:—

	Fines			*Compensation*		
	Imposed	Realized	Percentage	Awarded	Paid	Percentage
1881	6,80,355	4,97,993	73	1,01,282	54,516	54
1882	6,45,932	4,95,502	77	1,14,530	57,659	50

The realizations of 1881 include Rs. 95,401, and those of the year under report Rs. 95,596, collected on account of fines imposed in previous years. Payments made on account of awards of previous years are also included in the sums shown as paid in compensation.

Operations in different District and Sessions Courts compared.

99. In the annexed statement, which gives information regarding the fine operations of the last two years in each District and Sessions Court in the province, realizations on account of fines imposed in previous years are excluded.

1	2	3		4		5		6		7	
Division	District	Total number of persons fined		Total amount of fines imposed		Average amount of fine per head		Percentage of fine realized		Percentage of fine imposed, ordered to be paid in compensation	
		1881	1882	1881	1882	1881	1882	1881	1882	1881	1882
Delhi	Delhi ...	1,909	1,609	14,436	14,205	8	9	65	62	6	25
	Gurgaon ...	1,304	1,122	7,883	8,232	6	7	67	71	8	5
	Karnál ...	1,166	1,005	7,035	7,460	6	7	57	51	11	13
	Sessions Court ...	16	16	1,615	4,160	101	260	19	32	6	3
Hissar	Hissar ...	1,467	1,363	11,264	10,023	8	7	63	67	12	13
	Rohtak ...	1,542	1,289	12,528	8,126	8	6	79	66	13	13
	Sirsa ...	573	592	7,204	5,515	13	9	49	47	19	8
	Sessions Court ...	38	10	3,326	1,045	88	104	6	23	8	11
Umballa	Umballa ...	1,989	2,187	20,061	20,589	10	9	49	62	19	15
	Ludhiána ...	1,506	1,977	14,940	12,649	10	6	72	77	6	19
	Simla ...	2,489	1,947	7,326	6,654	3	3	75	75	21	6
	Sessions Court ...	5	3	500	650	100	217	9	...	...	...
Jullundur	Jullundur ...	2,785	2,132	13,452	15,670	5	7	58	77	19	17
	Hoshiárpur ...	1,356	1,147	12,011	11,780	9	10	61	56	9	10
	Kángra ...	2,574	2,884	14,268	14,530	5	5	86	82	17	16
	Sessions Court ...	14	8	560	1,460	40	182	...	14	...	55
Amritsar	Amritsar ...	2,146	2,048	19,103	27,245	9	13	58	60	23	23
	Gurdáspur ...	1,503	1,474	12,885	15,577	8	10	58	66	14	44
	Siálkot ...	1,987	2,142	19,143	20,708	10	9	67	62	12	9
	Sessions Court ...	9	12	680	780	76	65	4	64	44	...
Lahore	Lahore ...	3,834	3,695	58,728	37,150	15	10	51	56	13	13
	Gujránwála ...	1,568	2,103	10,708	17,505	7	8	53	52	8	3
	Ferozepore ..	2,530	2,679	19,359	24,096	8	9	69	57	15	18
	Sessions Court ...	21	35	3,950	6,745	188	193	13	3	2	1
Rawalpindi	Rawalpindi ...	5,169	5,290	47,662	36,444	9	7	67	72	9	6
	Jhelum ...	4,567	3,046	32,827	33,357	7	11	51	51	7	12
	Gujrat ...	1,651	1,102	16,351	10,617	10	10	43	50	8	15
	Shahpur ...	1,642	1,636	17,255	15,870	11	10	55	55	11	8
	Sessions Court ...	60	34	4,130	2,845	69	84	5	10	7	44
Mooltan	Mooltan ...	2,394	2,366	17,536	24,611	7	10	65	52	4	16
	Jhang ...	937	1,061	17,299	10,032	18	10	35	43	9	15
	Montgomery ...	838	900	10,081	10 839	12	12	46	47	6	7
	Muzaffargarh ...	1,228	1,032	13,880	9,623	11	9	69	75	11	7
	Sessions Court ...	30	30	1,580	1,175	53	39	21	58	8	...
Derajat	Dera Ismail Khan ...	954	859	14,400	17.895	15	21	64	62	29	34
	Dera Gházi Khan ...	1,345	1,034	25,359	22,713	19	24	71	61	31	44
	Bannu ...	1,609	1,472	38,616	31,943	21	22	86	83	29	26
	Sessions Court ...	46	42	2,200	5,455	48	130	70	54	12	43
Peshávar	Peshávar ...	2,953	2,929	48,671	48,021	16	16	71	77	28	25
	Hazára ...	1,639	1,748	27,183	35.434	16	20	66	73	11	19
	Kohát ...	1,221	1,207	52,903	28,205	44	23	59	51	19	37
	Sessions Court ...	33	15	4,107	1,150	124	77	37	38	17	17
	Total { District Courts ...	62,375	59,077	6,57,357	6,13.318	10	10	65	64	15	18
	Total { Sessions " ...	272	205	22,648	25,465	83	124	21	27	9	19

The average incidence in District Courts is the same as in the two previous years, and the statistics of the several districts do not call for special remark. In Sessions Courts the average of incidence has risen considerably and the percentage of realization has also improved.

The percentage of fines awarded as compensation has risen from 15 to 18 in District Courts and from 9 to 19 in Sessions Courts. The ratio of payments to awards is, as shown in the table in the preceding paragraph, lower by 4 per cent. than in the previous year. It was noted in the Court's report for 1881 that laxity was believed to prevail in the matter of giving intimation to the parties concerned of the realization of fines from which compensation was payable. The orders of the Court on this point are distinct and special enquiries are now being made from the districts where they appear to be neglected.

PART III.—APPELLATE JURISDICTION OF COURTS SUBORDINATE TO THE CHIEF COURT.

A.—District Courts.

Number of appellants to District Courts.

100. The following table shows the number of sentences passed during the years 1881 and 1882 from which an appeal lay to a District Court and the number of persons who actually did appeal to such Courts :—

Year		*Number of appealable sentences*	*Number of persons who appealed*
1881	...	45,913	4,191
1882	...	46,318	4,311

Thus, in both years about 9 per cent. of the persons who might have appealed did appeal. During the year under report, the right of appeal to a District Court was most freely exercised in the Gurgaon, Karnál, Umballa, Hoshiárpur, Amritsar, Gurdáspur, Gujrat and Jhang Districts, the ratio of appellants to appealable sentences ranging in these districts from 13 to 19. None of the 124 persons who might have appealed in the Simla District did appeal, and in the districts noted in the margin the percentage of appellants did not exceed 5.

Hissar, Mooltan, Muzaffargarh, Dera Ghází Khan, Bannu, Peshâwar, Hazára and Kohát.

Appeals for disposal and disposed of.

101. In the year 1881, a total of 2,421 appeals, in which 4,348 persons were interested, came before District Courts of appeal for disposal, and 2,343 cases, affecting 4,203 persons, were disposed of in an average of 11 days. Last year, the number of appeals for disposal was 2,605 and the number of appellants 4,456, 2,558 cases, affecting 4,367 persons, were disposed of, and the average duration was 10 days. In these matters, therefore, the general results of the past year compare favorably with those of the year preceding it. At the end of 1882 no appeal had been pending in a District Court for three months, and in no district was the number of pending cases unduly high.

Details of disposal.

102. Further details regarding the appellate business of each district in the province are given in the following statement :—

1	2	3	4	5	6	7	8	9	10	11	12	13
District	Appeals Disposed of						Percentage of persons whose					
	By Deputy Commissioners		By Judicial Assistants		By Assistant and Extra Assistant Commissioners							
	Cases	Persons	Cases	Persons	Cases	Persons	Appeals were rejected	Sentences were confirmed	Sentences were enhanced	Sentences were reduced or otherwise altered	Sentences were reversed or new trial ordered	Average duration of appeals
Delhi	94	157	6	6	...	...	30	40	2	7	21	9
Gurgaon	59	138	...	...	...	...	19	16	...	41	24	5
Karnál	63	103	...	...	...	...	58	11	...	1	29	9
Hissar	34	65	...	...	...	...	57	13	...	15	15	4
Rohtak	65	108	...	...	...	...	9	49	1	27	14	8
Sirsa	18	38	...	...	...	...	34	24	...	...	42	6
Umballa	76	109	53	96	...	...	30	8	...	7	55	11
Ludhiána	119	190	...	...	...	...	55	4	1	12	28	18
Simla	...	...	...	...	...	...	...	...	...	...	...	...
Jullundur	98	194	2	4	...	...	2	48	3	11	36	4
Hoshiárpur ...	120	200	2	2	...	...	47	8	...	10	35	22
Kángra	79	117	...	...	6	11	59	3	...	17	21	8
Amritsar	135	270	...	...	...	...	5	47	2	10	35	12
Gurdáspur ...	126	187	2	2	...	...	25	34	1	17	23	14
Siálkot	148	230	...	...	...	...	3	48	3	12	34	5
Lahore	88	146	...	...	...	...	6	42	...	16	36	17
Gujránwála ...	115	224	1	1	...	...	11	49	1	8	31	7
Ferozepore ...	100	179	...	...	...	...	50	16	5	6	23	12
Rawalpindi	168	265	2	4	...	...	3	60	...	11	26	12
Jhelum	140	287	16	63	18	41	2	49	...	24	25	11
Gujrat	63	144	21	29	...	...	8	30	...	3	59	4
Shahpur	95	173	25	39	...	...	...	56	2	16	26	11
Mooltan	68	91	18	21	...	...	55	12	1	13	19	5
Jhang	90	142	...	...	...	...	30	26	...	2	42	10
Montgomery ...	38	49	...	...	...	...	18	31	18	6	27	8
Muzaffargarh ...	44	44	...	...	...	...	25	39	5	11	20	8
Dera Ismail Khan ...	27	27	...	...	...	...	4	52	...	37	7	4
Dera Ghází Khan ...	26	36	...	...	3	5	49	15	...	12	24	6
Bannu	10	17	12	14	...	...	62	3	3	3	29	7
Pesháwar	25	44	1	1	...	...	31	...	...	9	60	10
Hazára	32	42	...	...	...	...	74	...	...	9	17	4
Kohát	7	12	...	...	...	...	...	25	...	25	50	12
Total { 1882 ...	2,370	4,028	161	282	27	57	22	33	1	13	31	10
Total { 1881 ...	2,038	3,666	290	512	15	25	23	32	3	14	28	11

It is satisfactory to find that fewer appeals were made over to Judicial Assistants for hearing last year than in the previous year. Measures have been taken by the Court in respect of the few districts in which laxity in the matter is still observable.

Passing on to the results of the appeals to the appellants concerned, it will be observed that the proportion of sentences which were not interfered with was 55 per cent. in both years. Fewer sentences were enhanced last year, Montgomery being the only district in which the percentage was at all high. Under the Code of Criminal Procedure now in force the power of enhancement has been taken away from Appellate Courts; so the column under notice will disappear from future returns. The percentage of modified sentences was, taking the province as a whole, nearly the same in both years. The percentages of individual districts vary from 41 in the Gurgaon and 37 in the Dera Ismail Khan District to 2 in Jhang and 1 in Karnál. The percentage of reversals rose in 1881 from 27 to 28, and last year was 31. It was highest last year in the Pesháwar, Gujrat, Kohát, Umballa, Sirsa and Jhang Districts. The cause of the high percentages of the three districts first named has not been mentioned in the local reports. The Deputy Commissioner of Umballa gives as the reason for the high percentage of his district that five new Magistrates were appointed during the year and two of them exercised their powers badly, also that he found it necessary to interfere largely with the orders passed by Mr. Peacock, when he was in charge of the Rúpar Sub-division, in bad livelihood cases. The Sirsa percentage, it appears, would not have been above the average if it had not been for a single case in which several persons appealed successfully. In Jhang the high percentage is explained to be due to the misuse which was made of his magisterial powers by one of the Tahsíldárs, which led to his suspension.

It has been already remarked that the mean duration of criminal appeals in District Courts was 10 days for the province, as compared with 11 days in the preceding year.

Hoshiârpur 22 days
Ludhiâna 18 „
Lahore 17 „
Gurdâspur 14 „

This average was considerably exceeded in the four districts noted in the margin, and without sufficient cause, so far as the reports show.

103. District Magistrates also dealt with 437 applications for revision in the past, as against 403 applications in the previous, year. The applications resulted in each year as under :—

YEAR	Rejected	Commitment or further enquiry ordered	Case reported to the Chief Court
1881 ...	300	43	60
1882 ...	370	27	40

B.—COURTS OF SESSION.

Number of appellants to Courts of Session.

104. Last year, 10,298 sentences were passed from which an appeal lay to the Court of Session and 3,561 persons availed themselves of the right. The ratio of persons appealing to persons who might have appealed was, therefore, 34 per cent., having been 32 per cent. in the previous year. The district ratios vary from 85 per cent. in Muzaffargarh and 73 per cent. in Shahpur to 12 per cent. in Peshâwar.

Business for disposal and details of disposal.

105. Further particulars regarding the appellate business of each Court of Session in the province are given in the following statement, to which the totals of the previous year have been added for facility of comparison :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
DIVISION	FOR DISPOSAL						DISPOSED OF														Pending at the end of the year				
	Pending from last year		Instituted during the year		Total		PERSONS										TOTAL								
										Appeals rejected under Sec. 278, C. P. Code							After directing further enquiry under Sec. 282 C. P. Code		Without directing further enquiry						
	Cases	Persons	Cases	Persons	Cases	Persons	Died, escaped or transferred to another Court	Appeals rejected otherwise than on the merits	Without calling for files	After perusal of files	Sentences confirmed after hearing under Section 280, C P Code	Sentences enhanced	Sentences reduced or order otherwise altered	Sentences reversed	Proceedings quashed under Sec. 284, C. P. Code	New trial ordered	Cases	Persons	Cases	Persons	Cases	Persons	Average duration of appeals	Number of appeals pending more than three months	Date of oldest case pending
Delhi ..	1	1	220	291	221	292	..	1	..	100	76	2	43	70	..	..	9	9	212	283	..	..	12	..	..
Hissar ..	3	4	151	202	154	206	..	..	4	..	130	..	26	36	..	..	..	..	144	196	10	11	17	..	4-12-82
Umballa ..	3	3	211	342	214	345	..	14	41	204	24	1	12	30	..	..	9	9	296	327	9	9	15	..	25-10-82
Jullundur ..	..	..	137	163	127	163	..	3	1	5	85	1	13	54	..	..	4	4	122	168	1	1	7	..	23-12-82
Amritsar ..	16	16	288	350	303	366	..	9	7	11	254	..	9	62	..	..	11	13	272	329	20	24	26	3	10-7-82
Lahore ..	12	12	390	479	402	491	..	6	46	82	170	..	30	108	..	3	15	20	349	424	38	47	20	..	9-10-82
Rawalpindi ..	6	9	458	563	464	572	2	3	69	136	122	1	5	204	..	..	6	7	451	545	7	20	11	..	7-12-82
Mooltan ..	9	9	402	474	411	483	..	2	31	209	129	2	40	47	7	4	16	18	352	447	13	18	15	..	6-11-82
Derajat ..	13	15	358	395	371	410	..	16	39	234	36	1	26	45	..	2	14	15	347	385	10	10	22	..	4-12-82
Peshawar ..	10	11	260	302	270	313	5	..	69	70	69	6	26	65	1	..	1	1	267	310	2	2	13	..	7-10-82
TOTAL 1882	72	80	2,965	3,561	3,037	3,641	5	52	307	1,041	1,109	16	229	731	8	10	86	96	2,842	3,403	116	142	17	3	10-7-82
TOTAL 1881	88	106	2,967	3,565	3,055	3,671	5	80	352	919	1,218	74	264	690	8	31	121	146	2,982	3,445	73	80	18	14	22-10-81

The figures show that the amount of business for disposal was nearly the same in both years. The business of the Lahore and Amritsar Courts increased, while institutions fell off in the Umballa, Jullundur and Rawalpindi Divisions. Of the total number of appeals for disposal, 96 per cent. were disposed of, as compared with 98 per cent. in the preceding year.

The Lahore and Amritsar Courts had the heaviest pending files at the close of the year. In the latter Court three appeals had, on the last day of the year, been pending for more than three months. The oldest of these was instituted on the 10th July, and it is explained that it could not be decided before the end of the year in consequence of the files of the lower Court having been mislaid in the District Office.

The average duration of the appeals decided last year was 17 days, as against 18 days in the previous year, being highest (26 days) in the Amritsar and lowest (7 days) in the Jullundur Court.

The Additional Sessions Judge at Jullundur disposed of 52 appeals preferred from the Jullundur District, while the Additional Judge of the Lahore and Rawalpindi Divisions disposed of 73 appeals appertaining to the former, and 112 appeals of the latter, division.

The above summarizes the operations of the year, so far as cases are concerned. As regards appellants, the results of their appeals are compared with the results of the previous year in the following table :—

	1881	1882
Percentage of sentences upheld	72	71
" " " enhanced	2	1
" " " reduced or modified ...	8	7
" " " reversed	18	21

Appellants were most successful in the Rawalpindi Division, where 37 per cent. of the orders appealed against were reversed, and least successful in the Umballa Division, where 87 per cent. of those who appealed failed to obtain any advantage from their appeals. Eight sentences were enhanced by the Sessions Judge of Peshâwar, and the same number by the remaining Sessions Courts of the province. Of the whole number of appeals which were decided, 97 per cent. were decided on the record as it stood, and 3 per cent. after making further enquiry.

Applications for revision.

106. Courts of Session also dealt with 250 applications for revision last year, as compared with 310 applications in the previous year. The results of such applications are given for both years in the following table :—

Year	Rejected	Commitment or further enquiry ordered	Cases reported to the Chief Court
1881 ...	237	9	64
1882 ...	206	14	30

PART IV.—CRIMINAL BUSINESS OF THE CHIEF COURT.

Original trials.

107. In the exercise of its original criminal jurisdiction the Chief Court disposed of the following cases :—

No.	Name of accused	Sections of Indian Penal Code under which charged	Acquitted or discharged	Convicted	Sentence on conviction
1	Montague Charles Burney ...	Sections 465, 468 and 471, Indian Penal Code	1	...	
2	Abraham Cox ...	Section 302, Indian Penal Code	...	1	Penal servitude for life.
3	Montague Charles Burney ...	Sections 465, 467 and 468, Indian Penal Code	...	1	Three years' rigorous imprisonment.
4	Edward Stubbs ...	Section 302, Indian Penal Code	...	1	Penal servitude for life.

Juries were employed in all the above trials. On the first occasion on which M. C. Burney was brought before the Court, the proceedings were stayed and the accused was discharged under the provisions of Section 146 of Act X of 1875. Fresh proceedings were then instituted against him and he was again committed for trial, with the result that he was found guilty and sentenced to three years' rigorous imprisonment.

Reference.

108. The following table shows the work of the Chief Court as a Court of Reference during the past two years :—

Years	For disposal		Disposed of						Pending at the end of the year		Average number of days each case lasted
			Persons				Total				
	Cases	Persons	Whose sentences were confirmed	Whose sentences were modified	Acquitted	Whose cases were remanded for further investigation	Cases	Persons	Cases	Persons	
1881 ...	120	174	83	40	20	...	104	143	16	31	36
1882 ...	105	141	63	33	18	...	86	114	19	27	31

It will be seen that there was a falling-off of 15 in the number of cases, and of 33 in the number of sentences referred for confirmation. The percentage of sentences confirmed also fell from 58 to 55, the percentage being as low as 30 in references from the Derajat, 33 in references from the Hissar Division, and 48 in references from the Peshâwar Division. Nineteen references, affecting 27 persons, are shown as pending at the end of the year, but 10 of these were submitted during the last days of the year and were not actually received in the Chief Court office until after the year had closed. The average duration of the references disposed of last year was 31 days, as compared with 36 days in the previous year.

Appeals.

109. The following table shows the number of criminal appeals instituted in the Chief Court during the past five years :—

	1878	1879	1880	1881	1882
From orders of Courts of Session ...	317	264	248	294	277
" " Deputy Commissioners ...	363	367	397	420	454
Total ...	680	631	645	714	731

The figures show that since 1879 the criminal appellate business of the Court has increased by rather more than 15 per cent. The increase manifests itself in appeals from orders passed by Deputy Commissioners under their enhanced powers. Under the present Code of Criminal Procedure, such orders are only appealable to the Chief Court if a sentence is passed which requires the confirmation of the Court of Sessions, whereas, under Act X of 1872, the appeal lay to the Chief Court whenever the Deputy Commissioner passed a sentence which he could not have passed under his ordinary powers. The effect of this change in the law will be to transfer to Courts of Session a considerable number of appeals which have hitherto come before the Chief Court.

The number of appeals decided during the year corresponded exactly to the number instituted. One hundred and nine appeals, affecting 131 persons, were on the Court's file of pending cases at the beginning of the year, and the same number of appeals and 134 appellants awaited the Court's orders when the year closed. Of the appeals pending at the close of the year, 11 had been pending for more than three months. The oldest of these was instituted on the 21st of July. The proceedings were protracted in consequence of the prisoner's pleader being desirous that the appeal should be heard at Lahore and not at Simla. The appeal was disposed of during the first week of the present year.

The average duration of the appeals decided last year was 39 days, as compared with 49 days in the previous year. Two of the appeals decided during the year were preferred by the Local Government against orders of acquittal. In one of these, in which 5 persons had been acquitted of forgery by the District Magistrate of Muzaffargarh, the Court rejected the appeal; in the other an order of acquittal passed by the Magistrate of the Lahore District was set aside and a new trial was ordered. The remaining appeals disposed of during the year affected 894 persons. The results of their appeals are compared with the results of appeals in the previous year below :—

		Number of persons		Proportion to total number disposed of	
		1881	1882	1881	1882
Appellants died	...	...	4	...	...
Appeals rejected	...	319	304	38·6	34·3
Sentences confirmed	...	236	240	28·5	26·7
" enhanced	...	6	2	0·7	0·2
" modified	...	163	163	19·7	18·1
" annulled	...	103	181	12·5	20·2

The noticeable feature in the table is the increase in the proportion of sentences which were annulled. It must be remembered, however, that the proportion is calculated on persons, not on cases, and that a single case therefore often makes a material difference. Thus, taking appeals from the Deputy Commissioner of Lahore, the percentage of reversals is 38 or 15, according as one case in which 7 persons appealed successfully is included or excluded.

110. The number of cases dealt with by the Court under its powers of revision has also again increased largely, as will be seen from the following table in which the figures of the past three years are compared :—

	Remaining from previous year		Instituted		Decided		Pending	
	Cases	Persons	Cases	Persons	Cases	Persons	Cases	Persons
1880 ...	63	124	803	1,145	768	1,128	98	141
1881 ...	98	141	961	1,726	954	1,650	105	217
1882 ...	105	217	1,032	2,133	1,039	2,136	98	214

Of the cases instituted last year, 851 were instituted by parties who were dissatisfied with the orders which they brought to the notice of the Court, 149 were reported for the orders of the Court under Section 296 of the Criminal Procedure Code, and 32 were taken up by the Court on its own motion. In the previous year, 212 cases were reported for revision, and applications by aggrieved parties numbered 721 only.

The results of the proceedings of the last two years, as affecting persons, are given below :—

		1881		1882	
		Number	Percentage	Number	Percentage
Applicants died	...	...	...	4	...
Applications rejected	...	903	55	1,371	64
Orders confirmed	...	273	16	278	13
Sentences enhanced	...	22	1	54	3
Sentences modified	...	91	6	92	4
Orders reversed or quashed	...	361	22	337	16

The average duration of proceedings on revision was 27 days, as compared with 34 days in 1881 and 29 days in 1880.

Miscellaneous cases.

111. In addition to the above, the Court disposed of 36 miscellaneous cases and inspected the files of 31 cases in which the proceedings seemed open to criticism.

PART V.—PROCEDURE AND SUPERINTENDENCE.

References by Magistrates of cases for police investigation.

112. Towards the end of 1881, the Court, at the request of Government, issued a circular requesting Magistrates of Districts to guard against an injudicious exercise by their subordinate Magistrates of the power given to them by Section 146 of the Code of Criminal Procedure to refer cases for police investigation. The reports for the year which has passed show that there has been some improvement in this respect and that the point is still receiving attention from Sessions Judges and District Magistrates.

Record of evidence, statements of accused persons, and witnesses for the defence.

113. The directions of the law relating to the recording of evidence and confessions and the examination of accused persons are reported to be generally observed, and the Judges believe this to be the case. It would seem that sufficient care is not always taken to ascertain from accused persons whether they wish to call witnesses and to note on the record when the right to call witnesses for the defence is not made use of. It is important that the fact of an accused person declining to produce evidence should always be noted on the record, as otherwise Courts of appeal and revision have no means of judging of the truth of the plea so often raised by a convicted person that he was anxious to call witnesses and was not permitted to do so.

Orders rejecting appeals under Section 278, Criminal Procedure Code.

114. With the sanction of the Local Government, a circular was issued last year, for the guidance of the subordinate Appellate Courts, pointing out that the order of an Appellate Court rejecting an appeal under Section 278 of the Code, should not merely state that there is no sufficient ground for interfering with the decision of the lower Court, or that the appeal is rejected, but should mention any substantial grounds of appeal and state briefly how they have been disposed of. This rule was found to be necessary as it sometimes happened that orders passed under Section 278 of the Code did not show that the Appellate Court had considered and disposed of substantial grounds of appeal which had been urged on behalf of the appellant.

Habitual offenders.

115. The treatment of habitual offenders continues to be carefully watched. The rule in most districts is that every case in which a person is sent up for trial who has been previously convicted of an offence against property, or of an offence relating to stamps or coin, is to be sent in the first instance to the District Magistrate, who decides whether he will take it up himself or whether it can be adequately dealt with by a subordinate Magistrate. This is a rule which should, in the absence of special reasons for adopting a different course, be followed in all districts. The sentences passed on previously convicted offenders come under the notice of Sessions Judges and the Chief Court at the end of each month, and are criticised, and, when necessary, revised.

Supervision of subordinate Courts.

116. The duty of supervising their subordinate Courts has, as a rule, been well discharged by Sessions Judges and District Magistrates, and many excellent inspection reports were submitted during the year for the Court's perusal. Among Sessions Judges, the Court would mention Colonels Davies, McMahon, Gordon Young and Minchin, and Mr. Perkins, as having taken special interest in the criminal administration of their divisions, and among District Officers, the Judges' acknowledgments are specially due to Colonels Beadon and Harcourt, Messrs. T. W. Smyth, Roe, Frizelle, Bulman, T. Roberts, Fryer, Bullock and Tucker.

The Peshâwar Courts were inspected by Mr. Justice Elsmie during the year.

I have, &c.,

G. W. RIVAZ,

Registrar, Chief Court, Punjab.

STATEMENT No. 1

STATEMENT SHOWING THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CRIMINAL CASES IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1882, AND THE WORK DONE DURING THE YEAR

1	2	3	4	5	6	7
	Number of Officers		Number of cases decided			
			Original		*Appeal*	
CLASS OF COURT	European	Native	Regular	Miscellaneous	Regular	Miscellaneous
I.—Magistrates.						
Special Magistrates	27	13	699	7	...	...
Honorary Magistrates sitting singly — 2nd and 3rd class	1	51	3,451	1,076	...	...
Honorary Magistrates sitting singly — 1st class	1	9	2,359	502	...	...
Benches of Magistrates	...	88	7,682	917	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts — 2nd and 3rd class	14	165	34,506	17,794	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts — 1st class ...	48	60	31,588	30,622	188	...
Chief Magistrates of Districts	32	...	3,741	17,390	2,370	24
Total ...	123	386	84,026	68,308	2,558	24
II.—Courts of Session	13	...	705	35	2,927	24
III.—Chief Court	5	...	90	36	731	...
Grand Total	141	386	84,821	68,379	6,216	48

STATEMENT No. 2

STATEMENT OF OFFENCES REPORTED AND OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE PUNJAB IN THE YEAR 1882

1	2	3	4	5	6	7	8	9	10	11	12
						Persons					
Description of Offence	Offences reported	Complaints rejected under Section 147, Criminal Procedure Code	Other cases struck off as false	Balance of cases returned as true	Number of cases brought to trial during the year	Under trial during the year	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint	Acquitted or discharged on other grounds	Convicted	Died, escaped, transferred to another province, or trial postponed in consequence of insanity	Remaining under trial at the close of the year
A.—Offences under the Penal Code.											
Offences against the State — Chap. VI Secs. 121 to 130 ...	...	...	...	...	...	...	...	...	...	...	...
Offences against the Army and Navy — „ VII „ 131 to 140 ...	2	...	...	2	2	2	...	...	2	...	...
Offences against the public tranquillity — „ VIII „ 143 to 145, 149 to 151, 157, 158. Unlawful assembly ...	45	11	...	34	27	360	...	112	248	...	...
„ 147, 148, 152 and 153 to 156. Rioting, &c. ...	896	351	28	517	493	5,075	211	1,353	3,101	3	107
„ 160. Affray ...	241	6	1	231	232	1,203	116	225	844	1	17
Offences by or relating to public servants — „ IX „ 161 to 169. By public servants ...	236	123	5	108	109	132	2	92	32	...	6
„ 161, 170 and 171. Relating to public servants	173	58	...	115	104	158	19	91	37	...	11
Contempts of the lawful authority of public servants — „ X „ 172 to 190 ...	1,301	142	2	1,157	1,163	2,339	97	959	1,214	2	67
False evidence & offences against public officers — „ XI „ 193 to 200. False evidence or subornation, &c., of public servants	311	39	2	270	276	510	23	247	202	1	37
„ 201 to 229 Offences against public justice	983	175	4	804	764	1,267	36	532	635	1	63
Offences relating to coin and Government stamps — „ XII „ 231 to 254. Offences relating to coin ..	129	8	2	119	122	145	...	59	85	...	1
„ 255 to 263. Offences relating to stamps ...	8	1	...	7	8	10	...	6	3	...	1
Offences relating to weights and measures — „ XIII „ 264 to 267 ...	69	6	...	63	64	217	...	31	186	...	...
Offences affecting the public health, safety, convenience, decency and morals — „ XIV „ 269 to 278. Offences affecting public health	225	40	5	180	178	706	36	82	583	...	5
„ 279 to 289. Offences affecting safety ...	141	23	3	115	114	245	19	41	184	...	1
„ 290 and 291. Offences affecting convenience	420	131	...	289	286	1,248	82	162	982	1	21
„ 292 to 294. Offences affecting decency and morals ...	27	5	...	22	21	41	14	11	16	...	...
„ 294A. Keeping lottery office or publishing proposals for lottery ...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to religion — „ XV „ 295 to 298 ...	222	94	4	124	118	351	143	135	65	1	7

STATEMENT No. 2—continued

1	2	3	4	5	6	7	8	9	10	11	12
						Persons					
Description of Offence	Offences reported	Complaints rejected under Section 147, Criminal Procedure Code	Other cases struck off as false	Balance of cases returned as true	Number of cases brought to trial during the year	Under trial during the year	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint	Acquitted or discharged on other grounds	Convicted	Died, escaped, transferred to another province, or trial postponed in consequence of insanity	Remaining under trial at the close of the year
A.—Offences under the Penal Code—continued.											
Offences affecting the human body — Ch. XVI — Secs. 302 and 303. Murder...	411	21	34	356	315	709	...	379	193	8	99
" 307. Attempt at murder	89	15	3	71	59	112	...	67	39	1	5
" 304. Culpable homicide	167	2	10	155	137	281	...	121	140	3	17
" 304A. Causing death by rash or negligent act ...	52	4	5	43	46	66	4	28	34	...	...
" 308. Attempt at culpable homicide ...	2	2	...	...	...	...	...	...	...	...	...
" 305 and 306. Abetment of suicide ...	8	...	...	8	6	6	...	4	2	...	...
" 309. Attempted suicide	193	3	10	180	163	169	3	52	110	2	2
" 311. Thuggee, &c. ..	1	...	...	1	1	1	...	1	...	...	...
" 312 to 315. Causing miscarriage ...	53	13	2	38	32	52	4	29	19	...	...
" 316. Injury to unborn children ...	1	...	1	...	...	...	...	...	...	...	...
" 317. Exposure of infants	33	4	3	26	19	24	3	10	11	...	...
" 318. Concealment of birth by secret disposal of dead body ...	37	...	3	34	31	39	...	10	29	...	...
" 325 to 231 & 333. Hurt with aggravating circumstances ...	885	143	30	712	632	1,286	60	462	721	3	40
" 323, 324, 332 and 334 to 338. Other cases ...	5,519	1,620	40	3,859	3,571	8,029	2,722	2,139	3,081	3	84
" 341. Wrongful restraint	794	414	10	370	305	769	368	270	125	...	6
" 342 to 348. Wrongful confinement ...	476	282	10	184	170	471	144	223	96	...	8
" 352 to 358. Criminal force or assault ...	31,860	8,770	29	23,061	20,618	49,864	31,351	10,924	6,689	15	885
" 364, 366 & 367. Kidnapping or forcible abduction with aggravating circumstances ...	110	67	7	36	33	93	7	47	34	...	5
" 363, 365, 368 and 369. Other cases ...	438	219	33	186	127	206	12	176	88	1	19
" 370 and 371. Slavery...	25	18	...	7	7	17	...	17	...	...	...
" 372 and 373. Buying or selling a minor for the purpose of prostitution...	27	14	...	13	12	32	...	23	8	...	1
" 374. Forced labor ...	6	4	...	2	2	3	2	...	1	...	...
" 376. Rape ...	194	80	19	95	85	104	...	60	41	...	3
" 377. Unnatural offences	122	16	12	94	87	94	...	29	63	...	2
Offences against property — " XVII — " 382. Theft with aggravating circumstances ...	23	1	3	19	14	35	...	10	18	...	7
" 379 to 381 and 401. Other cases ...	14,709	3,490	520	10,699	6,961	9,710	135	2,790	6,608	25	152
" 386 to 389. Extortion with aggravating circumstances ...	10	7	...	3	3	3	...	3	...	...	...
" 384 and 385. Other cases	838	622	3	213	198	523	88	365	57	1	12
Robbery — " 394 — With hurt ...	49	10	2	37	21	47	...	27	19	...	...
Robbery — " 392 — Other cases...	385	145	36	204	137	305	1	158	136	1	9
Robbery — " 393 — Attempts ...	17	10	...	7	5	9	...	6	3	...	...
Dacoity — " 396 — With murder	6	...	...	6	2	2	...	1	...	...	1
Dacoity — " 397 — With attempt to cause death or grievous hurt ...	7	1	...	6	3	4	...	2	2	...	...
Dacoity — " 398, " 395, " 399, " 400 & 402 — Attempted robbery or dacoity when armed with deadly weapons	1	...	...	1	1	2	...	...	2	...	...
Dacoity — Other cases ...	71	1	6	64	17	82	...	64	14	...	4

STATEMENT No. 2—continued

1	2	3	4	5	6	7	8	9	10	11	12
Description of Offence	Offences reported	Complaints rejected under Section 147, Criminal Procedure Code	Other cases struck of as false	Balance of cases returned as true	Number of cases brought to trial during the year	Persons: Under trial during the year	Persons: Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint	Persons: Acquitted or discharged on other ground	Persons: Convicted	Persons: Died, escaped, transferred to another province, or trial postponed in consequence of insanity	Persons: Remaining under trial at the close of the year
A.—Offences under the Penal Code—continued											
Offences against property—*continued* } Ch. XVII { Secs. 403 and 404. Criminal misappropriation of property ...	831	435	3	393	390	618	63	248	271	1	85
" 406 to 409. Criminal breach of trust ...	1,119	521	41	557	544	728	48	360	287	4	29
" 411 to 414. Receiving or habitually dealing in stolen or plundered property ...	2,971	142	168	2,661	2,233	3,621	45	1,308	2,158	35	75
" 417 to 420. Cheating...	1,901	1,141	3	757	749	1,191	151	698	297	9	36
" 421 to 424. Fraudulent deeds or disposition of property ...	95	60	...	35	32	56	9	23	22	...	2
Mischief: " 429 to 433 & 435 to 440 — With aggravating circumstances	1,019	413	31	575	436	1,073	229	444	383	...	17
Mischief: " 426 to 428, & 434 ... — Other cases	3,785	1,664	14	2,107	1,992	5,055	1,889	1,756	1,286	2	122
Criminal trespass: " 459 & 460... — Resulting in death or grievous hurt ...	31	8	...	23	15	23	...	14	8	...	1
Criminal trespass: " 449 to 452, 454, 455, 457 & 458 ... — For commission of serious offences ...	9,190	242	207	8,741	2,418	3,753	56	1,209	2,437	9	42
Criminal trespass: " 447, 448, 453, 456, 461 & 462 ... — Other cases	5,479	2,655	68	2,756	2,321	5,054	1,713	2,061	1,161	3	116
Offences relating to documents and to trade or property marks } " XVIII { Secs. 465 to 471 and 474. Forgery, or uttering or possessing forged documents or papers ...	244	151	...	93	95	182	5	113	46	1	17
" 472 to 476. Counterfeiting or making or possessing a counterfeit seal, &c., for purposes of forgery...	3	...	...	3	2	2	...	1	1	...	...
" 477. Fraudulently destroying or defacing a will or other document ...	21	17	...	4	4	5	2	3	...	...	...
" 482, 486, 487 and 488. Using a false trade or property mark and knowingly selling property so marked ...	10	6	...	4	4	11	7	...	4	...	...
" 483 to 485. Counterfeiting or making or possessing a die, plate, or instrument for counterfeiting a trade or property mark	16	15	...	1	1	4	...	4	...	...	...
" 489. Removing, destroying, &c., a trade or property mark with intent to cause injury ...	34	23	...	11	10	21	10	6	5	...	...
Criminal breach of contracts of service } " XIX " 490 to 492 ...	70	29	1	40	39	134	19	85	30	...	...
Offences relating to marriage { " XX " 493 to 498 ...	7,671	3,005	12	4,654	4,551	6,606	1,701	3,829	782	36	258

STATEMENT No. 2—concluded

1	2	3	4	5	6	7	8	9	10	11	12
						Persons					
Description of offence	Offences reported	Complaints rejected under Section 147, Criminal Procedure Code	Other cases struck of as false	Balance of cases returned as true	Number of cases brought to trial during the year	Under trial during the year	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint	Acquitted or discharged on other grounds	Convicted	Died, escaped, transferred to another province, or trial postponed in consequence of insanity	Remaining under trial at the close of the year
A.—Offences under the Penal Code—concluded											
Defamation Ch. XXI Secs. 500 to 502 ...	606	254	...	352	348	695	242	331	99	1	22
Criminal intimidation, insult, or annoyance { „ XXII { „ 506. The threat being to cause death or other grievous hurt ...	109	85	...	24	23	49	12	33	4	...	...
Criminal intimidation, insult, or annoyance { „ XXII { „ 504 to 510. Other cases	1,250	346	1	903	906	1,566	708	562	276	...	20
Total ...	99,503	28,423	1,436	69,644	55,015	117,696	42,611	35,723	36,659	175	2,528
B.—Offences under Special and Local Laws.											
Breach of Laws relating to—											
Arms, Ammunition and Military Stores Act XI of 1878 ...	383	3	4	376	364	479	...	81	394	...	4
Army Discipline Regulation ... „	4	...	...	4	4	6	...	...	4	...	2
Canals ... „ VIII of 1873 ...	521	1	...	520	526	1,248	66	356	821	...	5
Cantonments, Military ... „ III of 1880 ...	3,511	...	2	3,509	3,510	5,646	2	433	5,210	...	1
Cattle Trespass ... „ I of 1871 ...	1,854	386	...	1,468	1,423	4,163	2,176	1,112	784	10	81
City Chaukidárs ... „ XX of 1856 ...	147	2	...	145	146	249	6	28	211	...	4
Code of Civil Procedure ... „ X of 1877 ...	30	...	...	30	30	52	...	15	35	...	2
Companies ... „ X of 1866 ...	...	...	...	...	...	...	...	...	...	...	...
Contract—Workmen ... „ XIII of 1859 ...	737	115	...	622	627	1,894	1,361	493	40	...	...
Contract by workmen on Railways and other public works ... „ IX of 1860 ...	...	...	...	...	...	...	...	...	...	...	...
Criminal Tribes and Eunuchs ... „ XXVII of 1871 ..	481	5	10	466	421	527	1	49	475	...	2
Emigration ... „ VII of 1871 ...	...	...	...	...	...	...	...	...	...	...	...
Excise on spirits and drugs ... „ XII of 1881 & XVI of 1863	247	7	2	238	237	440	3	122	300	1	14
Factories ... „ XV of 1881 ...	...	...	...	...	...	...	...	...	...	...	...
Farcy and Glanders ... „ XX of 1879 ...	1	...	...	1	1	2	...	...	2	...	...
Ferries ... „ XVII of 1878 ...	16	...	...	16	17	50	...	30	17	...	3
Foreigners ... „ III of 1864 ...	...	...	...	...	...	...	...	...	...	...	...
Forests ... „ VII of 1878 ...	1,098	51	3	1,039	1,000	3,406	27	914	2,424	6	35
Gambling ... „ III of 1867 ...	238	1	1	236	235	1,380	3	389	968	...	20
Hackney and Stage Carriages ... „ XVI of 1861 & XIV of 1879 ...	121	1	...	120	120	139	3	30	106	...	...
Licenses ... „ II of 1878 ...	...	...	...	...	...	...	...	...	...	...	...
Marriages—Christian ... „ XV of 1872 ...	...	...	...	...	...	...	...	...	...	...	...
Municipalities ... „ IV of 1873 ...	3,479	41	...	3,438	3,446	6,812	40	1,344	4,905	2	21
Murderous Outrages ... „ XXIII of 1867 & IX of 1877 ..	1	...	...	1	1	1	...	...	1	...	...
Mutiny ... „ VII of 1867 ...	6	...	...	6	6	6	...	1	5	...	...
Opium ... „ XII of 1878 ...	383	2	2	379	379	762	4	152	594	2	10
Pleaders ... „ XVIII of 1879 ...	...	...	...	...	...	...	...	...	...	...	...
Police ... „ V of 1861 ...	5,857	3	1	5,853	5,370	10,541	1	1,073	9,455	1	11
Post Office ... „ XIV of 1866 ...	15	1	...	14	13	15	...	7	8	...	...
Printing Presses ... „ XXV of 1867 ...	...	...	...	...	...	...	...	...	...	...	...
Prisons ... „ XXVI of 1870 ...	50	...	...	50	50	61	...	16	45	...	...
Prostitutes ... „ III of 1880 ...	198	63	...	135	136	187	...	50	135	2	...
Punjab Courts ... „ XVII of 1877 ...	23	...	...	23	23	30	...	4	26	...	...
Punjab Laws ... „ IV of 1872 ...	552	19	...	533	535	880	...	177	697	1	5
Railways ... „ IV of 1879 ...	303	1	1	301	301	410	4	88	316	...	2
Registration ... „ III of 1877 ...	1	...	...	1	1	1	...	1	...	...	...
Salt and Saltpetre ... „ VIII of 1875 & XII of 1882 ...	71	...	...	71	71	162	...	17	144	...	1
Stamps ... „ I of 1879 ...	161	2	...	159	161	239	...	65	170	1	3
Telegraphs ... „ I of 1876 ...	3	...	...	3	3	3	...	2	1	...	...
Treasure Trove ... „ VI of 1878 ...	11	...	...	11	11	23	...	7	16	...	...
Vagrancy ... „ IX of 1874 ...	4	...	...	4	4	4	...	...	4	...	...
Wandering and dangerous lunatics ... „ XXXVI of 1858...	...	...	...	...	...	...	...	...	...	...	...
Frontier Rules.											
Regulation I of 1872, Section 3 ...	11	...	...	11	19	21	...	6	15	...	...
„ „ „ 4 ...	18	...	...	18	18	33	...	...	33	...	...
„ „ „ 8 ...	11	...	...	11	11	16	...	...	16	...	...
„ VII of 1873 „ 3,5 & 6 ...	1	...	...	1	1	2	...	...	2	...	...
„ IV of 1873 „ 2 ...	...	...	...	...	571	1,507	35	596	830	1	45
„ IX of 1874 ...	1	...	...	1	1	1	...	...	1	...	...

STATEMENT No. 3

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CRIMINAL PROCEDURE CODE IN THE PUNJAB DURING THE YEAR 1882

1	2	3	4	5	6	7	8
	For disposal		Disposed of			Remaining under trial	
				Persons			
NATURE OF PROCEEDINGS	Cases	Persons	Cases	Discharged	Convicted	Cases	Persons
1. Frivolous or vexatious complaints summarily dealt with under Chapter XVI, Section 209	936	1,185	936	...	1,185	...	...
2. Proceedings against witnesses under Chapter XXVI	3	5	3	...	5	...	...
3. Forfeiture of bail or recognizance under Chapter XXVIII	146	222	135	76	133	11	13
4. Non-attendance of jurors or assessors—Chapter XXIX, Section 414	5	5	5	1	4	...	...
5. Contempts of Court under Chapter XXXII	289	328	289	29	299	...	...
6. Proceedings under Chapter XXXVII, to prevent breach of the peace	2,714	11,363	2,684	4,563	6,692	30	108
7. Proceedings under Chapter XXXVIII, Security for good behaviour	4,346	6,525	4,289	1,222	5,198	57	104
8. Proceedings against local nuisances, Chapter XXXIX	222	484	206	323	134	16	27
9. Possession, Chapter XL	121	331	120	218	102	1	11
10. Maintenance, Chapter XLI	2,830	2,830	2,771	2,297	474	59	59
Total ...	11,612	23,278	11,438	8,729	14,226	174	322

STATEMENT No. 4

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB DURING THE YEAR 1882

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
	NUMBER OF PERSONS FOR DISPOSAL								PERSONS DISPOSED OF												NUMBER OF CASES DISPOSED OF									
		BROUGHT TO TRIAL DURING THE YEAR								DISCHARGED WITHOUT TRIAL			ON REGULAR TRIAL		ON SUMMARY TRIAL							SUMMONS CASES		WARRANT CASES						
CLASS OF TRIBUNAL	Remaining at the end of the previous year	Under arrest by police	Upon warrant	On summons	Voluntarily	Received on commitment or reference	Received by transfer	Total	Died, escaped or transferred or trial postponed in consequence of insanity	In consequence of the non-appearance of the complainant or withdrawal of complaint	On other grounds	Acquitted	Appealable sentence passed	Non-appealable sentence passed	Appealable sentence passed	Non-appealable sentence passed	Committed or referred	Total	Persons remaining at the end of the year	Number of cases brought to trial during the year	Enquiries under Chapter XV	Tried regularly	Tried summarily	Tried regularly	Tried summarily	Total	Total number of cases pending	Number of cases pending over 3 months	Average number of days during which each case lasted	Number of witnesses examined
I.—MAGISTRATES.																														
Special Magistrates	5	485	11	1,014	224	..	..	1,739	..	64	67	272	878	..	..	458	..	1,734	5	698	..	557	140	2	..	699	3	..	5	1,510
Honorary Magistrates .. 2nd and 3rd class ..	135	2,187	479	5,135	308	..	..	8,244	2	3,155	915	1,049	3,005	..	..	..	24	8,150	94	3,436	..	2,459	..	992	..	3,451	36	..	8	7,118
Honorary Magistrates .. 1st class ..	21	2,034	236	1,497	127	..	1	3,916	4	400	632	623	687	1,533	..	..	14	3,893	23	2,361	6	1,446	..	907	..	2,359	15	..	11	6,586
Benches of Magistrates	35	6,176	490	8,269	329	..	..	15,299	8	4,639	1,602	1,906	4,249	..	2,796	..	16	15,216	83	7,769	..	4,500	1,935	861	386	7,682	34	..	6	13,044
Stipendiary Magistrates other than Chief Magistrates of Districts 2nd and 3rd class ..	1,022	22,278	4,977	43,864	3,020	..	4	80,165	34	27,309	11,457	8,48[illegible]	29,799	208	..	513	564	78,873	1,292	34,662	13	23,550	541	10,102	..	34,506	566	14	9	78,700
Stipendiary Magistrates other than Chief Magistrates of Districts 1st class	1,175	30,077	6,763	24,063	1,590	..	37	63,707	111	12,452	14,290	5,692	13,283	13,198	170	2,570	628	62,394	1,313	31,601	369	14,340	1,658	14,283	656	31,536	703	5	9	102,810
District and Divisional Magistrates—Cases referred under Section 46, Criminal Procedure Code ..	2	..	..	..	..	601	..	603	2	..	13	76	475	36	..	..	1	603	..	425	..	2	..	424	1	427	..	..	3	61
Chief Magistrates of Districts .. Under their ordinary powers	54	4,078	481	791	157	..	10	5,599	53	272	1,420	505	823	1,932	43	347	75	5,472	127	2,662	91	585	146	1,671	155	2,648	57	2	9	7,941
Chief Magistrates of Districts .. Under powers under Section 36, Criminal Procedure Code	31	1,256	40	10	6	..	..	1,344	..	..	112	153	693	28	..	..	311	1,297	46	713	..	4	..	714	..	718	17	1	6	6,898
Total ..	2,510	68,569	13,477	89,645	5,761	601	52	180,615	216	48,791	30,508	18,765	53,837	16,935	3,009	3,888	1,633	177,632	2,983	84,258	479	47,943	4,450	29,956	1,199	84,026	1,431	22	8	224,668
II.—COURTS OF SESSION .. Trials under Chapter XIX	146	..	..	..	..	751	..	897	3	..	..	342	325	21	..	..	108	799	98	391	..	..	..	401	..	401	49	1	56	4,591
II.—COURTS OF SESSION .. References under Section 36,	7	..	..	..	..	321	..	328	..	..	..	14	298	..	..	..	..	312	16	257	..	..	..	252	..	252	11	..	10	..
II.—COURTS OF SESSION .. Other references ..	..	..	..	..	..	60	..	60	..	..	..	8	6	46	..	..	..	60	..	52	..	..	..	52	..	52	..	..	21	..
Total ..	153	..	..	..	..	1,132	..	1,285	3	..	...	364	629	67	..	..	108	1,171	114	700	..	..	..	705	..	705	60	1	39	4,591
III.—CHIEF COURT .. Original trials ..	..	..	..	..	..	4	..	4	..	..	1	..	..	3	..	..	..	4	..	4	..	..	..	4	..	4	..	..	52	73
III.—CHIEF COURT .. References under Section 287, Criminal Procedure Code	31	..	..	..	..	110	..	141	..	..	..	18	..	96	..	..	..	114	27	89	..	..	..	86	..	86	19	..	31	..
Total ..	31	..	..	..	..	114	..	145	..	..	1	18	..	99	..	..	..	118	27	93	..	..	..	90	..	90	19	..	41	73
GRAND TOTAL ..	2,694	68,569	13,477	89,645	5,761	1,847	52	182,045	219	48,791	30,509	19,147	54,516	17,101	3,009	3,888	1,741	178,921	3,124	85,051	479	47,943	4,450	30,751	1,198	84,821	1,510	23	8	229,332

STATEMENT No. 5.

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS CRIMINAL TRIBUNALS IN THE PUNJAB DURING THE YEAR 1882.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
CLASS OF TRIBUNALS	PERSONS SENTENCED TO												PERSONS SENTENCED TO FIND OR GIVE			
		TRANSPORTATION		Penal servitude	IMPRISONMENT			FINE			WHIPPING					
					Rigorous											
	Death	For life	For a term		With solitary confinement	Without solitary confinement	Simple	Forfeiture of property	With imprisonment or transportation	Without imprisonment or transportation	In addition to other punishment	In lieu of other punishment	Sureties of the peace	Recognizance to keep the peace	Sureties for good behaviour	Persons imprisoned in default of furnishing security for good behaviour
I.—MAGISTRATES.																
Special Magistrates ..	...	...	...	...	7	8	60	...	22	1,266	...	...	...	...	...	...
HONORARY MAGISTRATES — 2nd and 3rd class	...	...	...	...	192	127	14	...	263	2,635	...	37	...	...	...	...
HONORARY MAGISTRATES — 1st class ...	...	...	...	...	194	92	9	...	152	1,493	9	31	5	22	348	15
Benches of Magistrates ...	...	...	...	...	157	220	27	...	157	6,596	3	45	...	...	...	...
STIPENDIARY MAGISTRATES OTHER THAN CHIEF MAGISTRATES OF DISTRICTS — 2nd and 3rd class	...	...	...	...	2,219	2,563	245	...	3,608	24,996	18	512	...	...	...	...
STIPENDIARY MAGISTRATES OTHER THAN CHIEF MAGISTRATES OF DISTRICTS — 1st class ...	...	...	...	...	5,013	1,840	337	...	5,159	10,425	174	330	4,384	1,963	3,944	719
District and Divisional Magistrates—Cases referred under Section 46, Criminal Procedure Code ...	...	...	...	...	421	34	...	...	331	11	16	38	...	...	7	...
CHIEF MAGISTRATES OF DISTRICTS — Under their ordinary powers	...	...	...	...	336	206	33	...	301	1,262	22	81	200	118	895	210
CHIEF MAGISTRATES OF DISTRICTS — Under their powers under Section 36, Criminal Procedure Code ...	...	...	...	...	570	107	13	...	412	8	28	23	...	...	...	...
TOTAL ...	...	...	...	...	9,109	5,217	738	...	10,405	48,672	271	1,597	4,589	2,103	5,194	944
II.—COURTS OF SESSION — Original trials ...	1	115	23	...	108	84	2	3	52	15	...	...	5	...	1	...
II.—COURTS OF SESSION — References under Section 36, Criminal Procedure Code	...	...	13	...	264	21	...	...	138	...	10	...	...	...	...	...
II.—COURTS OF SESSION — Other references ...	...	...	...	...	3	9	...	...	...	21	...	...	...	...	22	5
TOTAL ...	1	115	36	...	375	114	2	3	190	36	10	...	5	...	23	5
III.—CHIEF COURT .. — Original trials ...	...	...	...	2	...	1	...	...	...	...	...	...	...	...	...	...
III.—CHIEF COURT .. — References under Section 287, Criminal Procedure Code...	43	28	5	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL ...	43	28	5	2	...	1	...	...	...	...	...	...	...	...	...	...
GRAND TOTAL ...	44	143	41	2	9,484	5,332	740	3	10,595	48,708	281	1,597	4,594	2,103	5,217	949

1	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
CLASS OF TRIBUNALS	DETAIL OF PUNISHMENT																			
	FINE										IMPRISONMENT									
											15 days and under		6 months and under		2 years and under		Above 2 years		Above 7 years	
	Rs. 10 and under	Rs. 50 and under	Rs. 100 and under	Rs. 500 and under	Rs. 1,000 and under	Above Rs. 1,000	Total amount of fine imposed	Total amount realized	Amount ordered by way of compensation	Amount paid by way of compensation	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple	Rigorous	Simple
I.—MAGISTRATES.																				
Special Magistrates ..	1,211	67	...	...	...	...	4,797	4,192	402	385	12	51	3	9	...	...	...	...	...	...
HONORARY MAGISTRATES — 2nd and 3rd class	2,535	346	14	3	...	...	15,167	14,715	1,685	1,203	29	3	290	11	...	...	...	...	...	...
HONORARY MAGISTRATES — 1st class ...	1,413	215	12	4	1	...	11,076	7,897	2,781	1,134	17	3	129	6	130	...	10	...	...	...
Benches of Magistrates ...	6,506	241	4	2	...	...	12,764	11,378	670	275	70	15	301	12	6	...	...	...	...	...
STIPENDIARY MAGISTRATES OTHER THAN CHIEF MAGISTRATES OF DISTRICTS — 2nd and 3rd class	24,603	3,833	138	30	...	...	1,77,308	1,59,906	17,057	10,422	775	120	4,026	125	1	...	...	...	...	...
STIPENDIARY MAGISTRATES OTHER THAN CHIEF MAGISTRATES OF DISTRICTS — 1st class ...	9,784	4,934	621	240	3	2	2,75,289	2,01,847	39,502	16,933	345	95	3,049	206	3,414	26	45	...	...	...
District and Divisional Magistrates—Cases referred under Section 46, Criminal Procedure Code ...	59	260	13	9	1	...	11,413	4,547	2,101	100	1	...	61	...	357	...	36	...	...	...
CHIEF MAGISTRATES OF DISTRICTS — Under their ordinary powers	530	684	189	144	5	1	75,789	69,221	39,942	22,874	13	12	200	19	325	2	...	...	...	...
CHIEF MAGISTRATES OF DISTRICTS — Under their powers under Section 36, Criminal Procedure Code ...	61	262	75	17	3	2	29,715	12,215	5,494	2,477	...	3	61	8	220	2	396	...	...	...
TOTAL ...	46,702	10,842	1,066	449	13	5	6,13,318	4,85,918	1,09,544	55,705	1,262	302	8,120	396	4,457	40	487	...	...	...
II.—COURTS OF SESSION — Original trials ...	5	35	17	10	...	...	5,970	4,358	2,903	599	3	1	15	1	35	...	101	.	38	...
II.—COURTS OF SESSION — References under Section 36, Criminal Procedure Code	9	72	33	21	...	3	18,040	3,934	1,113	399	...	...	...	...	10	...	275	...	...	...
II.—COURTS OF SESSION — Other references ...	...	...	...	21	...	...	8,604	1,293	970	956	...	...	...	...	3	...	9	...	...	...
TOTAL ...	14	107	50	52	...	3	32,614	9,584	4,986	1,954	3	1	15	1	48	...	385	...	38	...
III.—CHIEF COURT .. — Original trials ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...
III.—CHIEF COURT .. — References under Section 287, Criminal Procedure Code...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...
GRAND TOTAL ...	46,716	10,949	1,116	501	13	8	6,45,932	4,95,502	1,14,530	57,659	1,265	303	8,135	397	4,505	40	873	...	38	...

STATEMENT No. 5A.

STATEMENT SHOWING THE PARTICULARS OF WHIPPINGS INFLICTED BY THE CRIMINAL TRIBUNALS OF THE PUNJAB DURING THE YEAR 1882.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Number of stripes awarded												Total		
Offences for which awarded	5 and under		6 to 10		11 to 15		16 to 20		21 to 25		26 to 30				Remarks
	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	
Part I.—*Whippings inflicted in lieu of other punishment.*															
Theft, as defined in ... Section 378, Indian Penal Code ...	70	...	205	2	274	...	150	9	67	...	98	10	864	21	
" 380 " " ...	5	..	57	2	72	...	39	3	13	...	23	...	209	5	
" 381 " " ...	...	...	12	...	21	...	25	...	13	...	8	...	79	...	
" 382 " " ...	...	...	...	...	1	...	1	...	...	...	...	...	2	...	
Extortion as defined in Section 388 " " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
" 389 " " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Dishonestly receiving stolen property, as defined in .. Section 411 " " ...	...	...	16	...	46	...	47	...	12	1	34	...	155	1	
" 412 " " ...	...	...	...	...	1	...	...	...	...	...	1	...	2	...	
Lurking house-trespass, as defined in Section 443, Indian Penal Code	1	...	7	...	8	1	11	...	6	...	6	...	39	1	
Lurking house-trespass by night, as defined in Section 444, Indian Penal Code	3	...	2	...	7	...	7	...	5	...	7	..	31	...	
House-breaking, as defined in Section 445, Indian Penal Code	...	...	12	...	14	...	8	...	7	...	3	...	44	...	
House-breaking by night, as defined in Section 446, Indian Penal Code	3	...	13	...	13	...	13	...	11	1	19	...	72	1	
Offences under Section 14, Act III of 1880	...	...	...	..	4	...	1	...	...	...	3	...	8	...	
Offences under Section 19, Act XXVII of 1871	...	...	7	...	3	...	10	...	3	...	6	...	29	...	
Offences under Section 49, Act XXVI of 1870	...	...	...	...	...	...	...	...	...	...	1	...	1	...	
Criminal breach of trust by public servant, as defined in Section 409, Indian Penal Code	...	...	...	...	...	...	...	...	1	...	...	...	1	...	
Total ...	...	...	...	...	...	...	...	..	...	...	...	...	1,536	29	
Part II.—*Whippings inflicted in addition to other punishment.*															
A.—Section 3, Act VI of 1864.															
Theft, as defined in ... Section 378, Indian Penal Code ...	...			3		25		30		19		76		153	
" 380 " " ...	...			1	...			7		2		12		22	
" 381 " " ...	...		...		...			2	...			5		7	
" 382 " " ...	...		...		...		...		...		...		...		
Extortion, as defined in ... ... Section 388 " " ...	...		...		...		...		...		...		...		
" 389 " " ...	...		...		...		...		...		...		...		
Dishonestly receiving stolen property, as defined in ... Section 411 " " ...		1	...			3		4		2		5		15	
" 412 " " ...	...		...		...		...		...			2		2	
Lurking house-trespass, as defined in Section 443, Indian Penal Code	...		...		...			1		1		2		4	
Lurking house-trespass by night, as defined in Section 444, Indian Penal Code	...		...		...		...		...			2		2	
House-breaking, as defined in Section 445, Indian Penal Code	...		...			1	...		...			1		2	
House-breaking by night, as defined in Section 446, Indian Penal Code	...		...			2		9		3		15		29	
Offences under Section 14, Act III of 1880	...		...		...		...		...		...		...		
B.—Section 4, Act VI of 1864.															
False evidence, as defined in ... Section 193 Indian Penal Code ...	...		...		...		..		...		...		...		
" 194 " " ...	...		...		...		...		...		...		...		
" 195 " " ...	...		..		...		...		...		...		...		
False charge of unnatural offence, as defined in Sections 211 and 377, Indian Penal Code	...		...		...		...		...		...		...		
Assault, as defined in Section 354, Indian Penal Code ...	...		...			1	...		...		...			1	
Rape, as defined in Section 375, Indian Penal Code ...	...		...		...		...		...		...		...		
Unnatural offence, as defined in Section 377, Indian Penal Code	...		...		...			1	...			1		2	
Robbery, as defined in Section 390, Indian Penal Code ...	...		...		...		...		...			1		1	
Dacoity, as defined in Section 391, Indian Penal Code ...	...		...		...		...		...		...		...		
Attempt at robbery, as defined in Section 393, Indian Penal Code	...		...		...		...		...		...		...		
Hurt in committing robbery, as defined in Section 394, Indian Penal Code	...		...		...		...		...		...		...		
Receiving stolen property, as defined in Section 413, Indian Penal Code	...		...		...		...		...		...		...		
Carried over ...														240	

STATEMENT No. 5A.—concluded.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Number of Stripes awarded												Total		
	5 and under		6 to 10		11 to 15		16 to 20		21 to 25		26 to 30				
Offences for which awarded	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or consequent conviction	First conviction	Second or consequent conviction	First conviction	Second or subsequent conviction	First conviction	Second or subsequent conviction	Remarks.
Brought forward ...														240	
Forgery, as defined in Section 463, Indian Penal Code ...	...		...		...		...		...		...		...		
Forgery, as defined in " 466 " " ...	...		...		...		...		...		...		...		
Forgery, as defined in " 467 " " ...	...		...		...		...		...		...		...		
Forgery, as defined in " 468 " " ...	...		...		...		...		...		...		...		
Forgery, as defined in " 469 " " ...	...		...		...		...		...		...		...		
Lurking house-trespass, as defined in Section 443, Indian Penal Code	...		...		...		...		...		...		...		
Lurking house-trespass by night, as defined in Section 444, Indian Penal Code	...		...		...		...		...			1		1	
House-breaking, as defined in Section 445, Indian Penal Code	...		...		...			1		3		1		5	
House-breaking by night, as defined in Section 446, Indian Penal Code	...		...			1		2		3		2		8	
Offences under Section 19, Act XXVII of 1871	...			3		8		5		4		4		24	
Cheating, as defined in Section 417, Indian Penal Code ...	...		...		...			1	...		...			1	
Delivering counterfeit coin, as defined in Section 241, Indian Penal Code	...		...		...		...		...			1		1	
Total ...	...		...		...		...		...		...			280	
Part III.—*Whippings inflicted on Juveniles for offences other than those specified in Part I.*															
False evidence, as defined in Section 193, Indian Penal Code	...	...	...	...	2	...	...	...	...	...	...	...	2	...	
Counterfeiting coin, as defined in Section 231, Indian Penal Code	...	...	1	...	...	...	...	...	...	...	...	...	1	...	
Voluntarily causing hurt by dangerous weapons, as defined in Section 324, Indian Penal Code	...	...	1	...	...	...	...	...	...	...	...	...	1	...	
Voluntarily causing grievous hurt, as defined in Section 322, Indian Penal Code	...	...	1	...	...	...	...	...	1	...	1	...	3	...	
Assault, as defined in Section 354, Indian Penal Code ...	...	...	...	...	...	...	...	...	1	...	1	...	2	...	
Rape, as defined in Section 375, Indian Penal Code ..	...	...	...	...	1	...	...	..	1	...	1	...	3	...	
Unnatural offence, as defined in Section 377, Indian Penal Code	...	...	...	...	3	...	1	...	...	...	5	...	9	...	
Criminal misappropriation of property, as defined in Section 403, Indian Penal Code	1	...	1	...	...	...	...	...	...	...	1	...	3	...	
Cheating, as defined in Section 415, Indian Penal Code ...	...	...	...	...	2	...	...	...	...	...	...	...	2	...	
Mischief, as defined in Section 428, Indian Penal Code ...	...	...	2	...	1	...	...	...	...	...	...	...	3	...	
Mischief by fire, as defined in section 435, Indian Penal Code	...	...	...	...	...	...	1	...	...	...	...	...	1	...	
Offence under Act IV of 1879	...	...	...	...	1	...	...	...	...	...	...	...	1	...	
Offence under Act III of 1867	...	...	...	...	...	...	1	...	...	..	...	..	1	...	
Total ...	...	...	...	...	...	...	...	..	...	...	...	...	32	...	

Part IV.—*Relative number of times whipping was awarded as compared with other punishments.*

Total number of whippings awarded	1878
Total number of other punishments inflicted in cases in which whipping might have been awarded	12,407
Percentage of whippings	15·05

STATEMENT No. 6

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PUNJAB DURING THE YEAR 1882

1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Number of persons												
TRIBUNALS	Total number of appellants and applicants for revision before the Courts	Died, escaped or transferred	Appeals or applications rejected	Sentence or order confirmed	Sentence enhanced	Sentence reduced or order otherwise altered	Sentence reversed	Proceedings quashed	New trial or further enquiry ordered	Referred for revision to the Chief Court	Pending trial	Average number of days during which each appeal lasted	Remarks
Appeals To													
District Magistrates	4,456	1	967	1,434	49	563	1,268	60	25	...	89	10	
Courts of Session	3,641	5	1,401	1,109	16	229	721	8	10	...	142	17	
Chief Court { By persons convicted ..	1,028	4	304	240	2	163	167	...	14	...	134	39	
Chief Court { By Government from judgments of acquittal ...	6	...	5	...	...	...	1	...	...	...	...	57	
Total ...	9,131	10	2,677	2,783	67	955	2,157	68	49	...	365	17	
Revision By													
District Magistrates	443	...	370	...	...	...	...	...	27	40	6	...	
Courts of Session	255	...	206	...	...	...	...	...	14	30	5	...	
Chief Court	2,350	4	1,371	278	54	92	154	6	177	...	214	...	
Total ...	3,048	4	1,947	278	54	92	154	6	218	70	225	...	
Grand Total ...	12,179	14	4,624	3,061	121	1,047	2,311	74	267	70	590	...	

STATEMENT No. 7

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS IN THE PUNJAB IN THE YEAR 1882

1	2	3	4	5	6	7	8	9	10	11	12	13	14
				Jury trials					Assessors trials				
					Cases in which the Judge did not approve of the verdict		*Number of persons of the verdict in respect to whom the Judge disapproved*			*Number of cases in which the Judge differed from*			
CLASSES OF COURTS	Established or average number of jury or assessors in each case	Number of cases tried by jury	Number of cases tried by assessors	Cases in which the Judge approved of the verdict	Wholly	Partially	Whose cases he referred under Sec. 263, C. P. C.	Whose cases he did not refer under Sec 263, C P. C	Number of cases in which the Judge agreed with assessors	One assessor	Two assessors	Three assessors	Classes of cases in which jurors and assessors have been principally employed
Magistrates' Courts under Chapter XXXIX, Criminal Procedure Code—Jurors	...	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session—Assessors	3	1	381	1	...	...	...	...	336	10	7	28	Sessions trials.
Chief Court, Original Criminal Jurisdiction—Jurors ...	9	4	...	4	...	...	...	...	...	..	...	...	Original trials.
TOTAL ...	...	5	381	5	...	...	...	...	336	10	7	28	

Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab, in the Home (Judicial) Department, No. 1658, dated Simla, the 3rd July 1883.

READ—

Report on the Administration of Criminal Justice in the Punjab for 1882, received in print on the 12th May 1883.

REMARKS.—During the year under review there has been a general decrease in serious, and an increase in petty, crime. The number of offences reported and complaints received, in 1882, amounted to 120,047, as compared with 114,769 in the preceding year. It is probable that great part of the increase is nominal, and is due to greater care in collecting statistics of complaints that have been summarily rejected, as shewing no sufficient grounds for taking action. The returns for 1881 were the first to give information regarding such dismissals, and in that year they numbered 25,843, rising in the year under review to 29,127; and the Lieutenant-Governor concurs with the Judges in thinking that it seems more likely that the returns for 1881 were somewhat defective, than that there should have been an increase of more than 12 per cent. in these cases.

2. The number of substantive offences shows an increase in crime generally, as compared with the previous year, amounting to 1·8 per cent.; there was a rise of 3·4 per cent. in the offences punishable under the Indian Penal Code, and a fall of 2·3 per cent. in offences under Special and Local Laws. But the number of cases returned as *primâ facie* true, is due in great part to a larger number of prosecutions for petty personal injuries, most of which do not seem to have been pressed to a conclusion. A rise in the number of charges under the heads of "hurt," "assault," "mischief," "defamation," "criminal intimidation, insult and annoyance" is accompanied by a decrease in the percentage of persons convicted under these charges, as compared with the figures for 1881. The total percentage of persons convicted, to those tried, under the Penal Code has diminished from 46 per cent. in 1881, to 42 per cent. in the year under report.

3. A year of good harvests and agricultural prosperity produced a sensible diminution of offences against property, which is chiefly marked in cases of theft, receiving of stolen property, and the different forms of fraud and criminal misappropriation and breach of trust. There is also a decrease of 30 per cent. in the number of offences relating to coin and Government stamps.

On the other hand, offences against the public tranquillity and public justice, and homicides, were more numerous than in the preceding year. There has been a decrease of 6 per cent. in serious cases of criminal trespass, but a slight increase has taken place in the number of dacoities and robberies reported as true and brought to trial. The districts in which the diminution of the number of thefts and cases of criminal trespass was most marked are Lahore, Jhelum, Shahpur, Dera Ghazi Khan and Bannu. An increase under these heads noticeable in Umballa is ascribed to a more correct registration of cases referred to the Police for enquiry by Magistrates, under Section 146 of the former Criminal Procedure Code. In the district of Gurdaspur there has been an increase in offences against property generally; and the Lieutenant-Governor would be glad to receive some explanation on the subject, with special reference to the small percentage of convictions in this district, as shown in paragraph 50 of the Report. The average number of dacoities and robberies in Hissar rose considerably, owing to the depredations of a notorious dacoit, who towards the close of the year was sentenced to transportation for life. In the districts of Gurgaon, Rohtak, Umballa, Amritsar and Lahore, the number of such cases returned as true was comparatively high as estimated by the returns for other districts Cis-Indus. The total number of cases of robbery and dacoity in the Peshawar

Division, returned as true, was 123 in 1881, and 122 in the year under review, being nearly one-third of the total number of such offences in the Province; while the number of cases brought to trial rose from 50 to 54.

4. There was an increase in 1882, as compared with the year preceding, of 7 per cent. in the number of offences affecting human life, of 9 per cent. in the number of persons tried for such offences, and a decline of 2 per cent. in the percentage of persons convicted. The number of admitted murders rose from 325 to 356. The Lieutenant-Governor regrets to observe that in the districts of Peshawar and Hazara 89 true cases of murder are returned, as against 65 in 1881. The number this year is higher than in any of the five previous years, and the Lieutenant-Governor views with concern a check in the satisfactory progress of the Peshawar Division in this respect, which was noticed in last year's Review.

5. In conformity with recent instructions of the Supreme Government, all cases in which women are convicted of the murder of their infant children are brought to the notice of the Lieutenant-Governor with the view to action being taken, if advisable, under Chapter XXIX. of the Criminal Procedure Code of 1882. Six cases of infanticide were thus brought to the notice of Government during 1882. In every case, but one, the Lieutenant-Governor was able to commute the sentences of transportation for life to sentences of rigorous imprisonment for ten years.

6. The increase in the number of charges of a petty and trivial nature has already been noticed. There is no doubt a growing tendency in the Punjab to launch prosecutions on such charges which are often ultimately abandoned. This tendency requires to be watched. The Lieutenant-Governor agrees with the Judges that the withdrawal of a complaint is very often the result of friendly intercession. Still many instances must remain where persons have been recklessly or maliciously charged, and the time of the Criminal Courts has been wasted in the investigation of trivial charges without adequate foundation. A remedy may possibly be found in raising the value of the court fee now charged on criminal complaints. But, in the opinion of the Lieutenant-Governor, the provisions of the law indicated in paragraph 18 of the Report are sufficient, if properly utilized, to reduce the number of frivolous or vexatious complaints, *viz.*, the examination of complainants before issue of process, and the award of compensation to persons vexatiously summoned. The Lieutenant-Governor notices with satisfaction that the latter method has been more freely used during the year under report.

7. The increase in prosecutions under the Arms Act, which is included in the heading of Local and Special Laws, observed last year, occurred, it appears, in the Kangra district, and not in Hoshiarpur, to which district the returns were credited by an error. This year again there has been an increase in similar prosecutions in Kangra. The Lieutenant-Governor will await the further report on the working of the Act in this district which is promised.

There has been, on the whole, a decrease in the number of prosecutions under other Acts of a special or local nature. The penal provisions of the Canals Act were less frequently enforced, and there was a diminution in the charges for breach of cantonment rules. Under this head, however, there was a marked increase in the Ferozepore cantonment, as also in the number of prosecutions under the Chaukidars Act, to which the attention of the Judges has already been directed. Last year the striking want of success in prosecutions by employers of labour under Act XIII. of 1859 attracted the notice of the Lieutenant-Governor. Enquiries that have been instituted by the Judges seem to shew that, as a rule, the Act has not been misapplied, and the reason for the small proportion of convictions appears to be that the workmen, who are prosecuted, usually return to their work, on the issue of a criminal process, and further proceedings are then stayed. The matter should continue to receive the attention of Commissioners of Divisions.

8. There has been a considerable increase in the number of prosecutions under the Cattle Trespass Act, which occurred chiefly in the districts of Delhi, Kangra, Gurdaspur, Sialkot, Gujranwala, Gujrat, Rawalpindi, Montgomery, and Dera Ghazi Khan. The Lieutenant-Governor desires to receive some explanation of this increase.

9. While the number of prosecutions under the Forests Act was greater, and the persons prosecuted were more numerous than last year, there has been a decline in the percentage of convictions. The Lieutenant-Governor would infer therefrom that greater care is necessary in applying the Act.

10. The Lieutenant-Governor regrets to observe the increase in cases of contempt of court. Attention was drawn to the subject in the Review of last year's Report, and the Lieutenant-Governor will be glad to learn the result of the enquiries which are being made by the Judges on this subject.

11. The proceedings of Magistrates under Chapters XXXVII. and XXXVIII. of the Criminal Procedure Code of 1872, which was in force till the close of the year, do not appear to call for much remark. A careful and thorough application of the provisions of the law for the prevention of offences is of high importance, more especially in the western districts of the Province, which are inhabited by turbulent classes addicted to predatory habits and to crimes of violence. Although the average amounts of security demanded have risen, as compared with last year, the percentage of persons imprisoned in default has not varied much under Chapter XXXVIII., while it has fallen under Chapter XXXVII.

12. The average duration of the cases disposed of by Magistrates of all denominations was eight days, the same as last year. In some districts, however, notably in Amritsar and Gurdaspur, the average duration was much longer. The percentage of convictions in both these districts, especially in Gurdaspur, as above noticed, was very small, and it is possible that there may be some connection between the two results. Undue protraction of the proceedings in a criminal trial is a great hardship on the witnesses, and probably affects the character of their evidence.

The frequent change of officers in the Amritsar district was matter of regret to the Lieutenant-Governor, but it was unavoidable, and has not been accepted by the Judges as a sufficient reason for the high average duration of cases in that district.

13. Although the average number of cases disposed of by Tahsildars has slightly risen, yet the standard maximum amount of judicial work for this class of judicial officers, which the Judges estimate at 600 criminal and civil cases a year, has been exceeded only in four districts. The Judges continue closely to scrutinize the judicial work performed by Tahsildars, with due regard on the one hand to the convenience of the people in petty criminal cases, and on the other to the demands of the revenue administration.

14. The work of the Boards of Honorary Magistrates and of the City Boards declined during the year, owing chiefly to a decrease in prosecutions under the Municipal Act in the larger Municipalities of the Punjab. On the other hand, Honorary Magistrates sitting singly disposed of more cases than in either of the two previous years. To both classes of the unpaid magistracy the Government is greatly indebted for their valuable and willing assistance in the administration of the country.

15. There is little to notice under the head of the special jurisdiction of Magistrates. The long average duration of cases dealt with by the District Magistrates of Hoshiarpur, Ludhiana, Rawalpindi and Bannu was not satisfactory. More energetic proceedings appear to have been taken under Frontier Regulation I. of 1872, in the frontier districts, against village communities guilty of suppressing evidence or harbouring criminals. The number of references to Councils of Elders was practically the same as in 1881, but the percentage of

convictions has increased. In Bannu there was a marked rise, which was confined to the Trans-Indus tracts. After receiving the opinions of the local officers and the Judges, the Lieutenant-Governor has decided that at present there is not sufficient reason for withdrawing the Cis-Indus portion of this district from the scope of the Frontier Regulation, which sanctions the constitution of jirgas for the judicial disposal of certain cases. It is satisfactory that the fines imposed by jirgas in the Kohat district were much more moderate than in 1881.

16. The Lieutenant-Governor would repeat that every effort should be made to release witnesses in criminal cases without delay. The causeless detention of some witnesses, for more than a week, in the Gurdaspur district, deserves severe comment.

17. The attention of the Judges was last year directed to the subject of corporal punishment. As a rule the sentences of whipping appear to have been passed, in the year under report, only in suitable classes of cases. The ratio of persons flogged has fallen in a slight degree, while the total number of sentences of whipping has diminished by nearly one-half, but there seems to be still much inequality in the application of this form of punishment. Flogging is in many cases a suitable form of punishment, but the procedure in this respect should, as far as possible, be uniform.

18. Finally, the Lieutenant-Governor thanks the Judges for the punctual submission of this Report, and wishes to express his appreciation of the effective manner in which they have supervised the subordinate courts, in addition to their onerous judicial duties.

ORDER.—Ordered, that a copy of the foregoing be forwarded to the Registrar of the Chief Court Punjab, for the information of the Judges, and for annexure to, and circulation with, the Report.

Ordered also, that the Review be printed and published in the *Punjab Government Gazette.*

By order of the Hon'ble the Lieutenant-Governor,

W. M. YOUNG,

Secretary to Government, Punjab.

Punjab Government Secretariat Branch Press, Simla.—5-7-88.—328.